

# **Lok Sabha Debates**

**(Seventeenth Session)**



सत्यमेव जयते

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**LOK SABHA SECRETARIAT**

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## LOK SABHA DEBATES

### LOK SABHA

Wednesday, August 11, 1976/Śravana  
20, 1898 (Saka)

The Lok Sabha met at Eleven of the  
Clock.

[MR. SPEAKER in the Chair]

#### ORAL ANSWERS TO QUESTIONS

Ministerial Conference of Non-  
Aligned Countries on News Agencies  
Pool

+

\*21. SHRI M. KALYANASUNDA-  
RAM:

SHRI D. B. CHANDRA  
GOWDA:

Will the Minister of INFORMATION  
AND BROADCASTING be pleased to  
state:

(a) whether a Ministerial Confer-  
ence of Non-Aligned Countries on  
News Agencies Pool was held in New  
Delhi recently;

(b) if so, the main points discussed  
and the decisions taken thereon; and

(c) the names of the participating  
countries?

THE MINISTER OF INFORMA-  
TION AND BROADCASTING (SHRI  
VIDYA CHARAN SHUKLA): (a) to  
(c), A Statement is laid on the Table  
of the House.

#### Statement

The Ministerial Conference of Non-  
Aligned Countries on the Press  
Agencies Pool was held in New Delhi  
from 8th to 13th July, 1976.

2. The Ministerial Conference  
Non-Aligned Countries on the Press  
Agencies Pool discussed the coopera-  
tion of non-aligned countries in the  
field of information. The main deci-  
sions of the Conference were: adoption

of Declaration which inter alia re-  
commends to the Colombo Summit to  
set up an Inter-Governmental Co-  
ordination Council to review decisions  
taken for intensifying cooperation  
among non-aligned countries in the  
field of information; the Constitution  
of a Pool of Press Agencies of Non-  
aligned Countries and the setting up  
of a Coordination Committee to make  
the Pool operational; the adoption of  
an Action Programme for further  
cooperation among non-aligned  
countries in the field of various mass  
media; the setting up of a committee  
of Experts to study tele-communica-  
tion facilities among non-aligned  
countries and to recommend features  
for ensuring speedy and economical  
means of communication; and formu-  
lation of draft paragraphs for  
inclusion in the Declaration of the  
forthcoming Summit Conference of  
Heads of State or Government of  
Non-aligned Countries.

3. The following countries partici-  
pated in the Conference:

Members: Afghanistan, Algeria,  
Angola, Argentina, Bahrain, Bangla-  
desh, Bhutan, Botswana, Burundi,  
Cyprus, Cuba, Democratic People's  
Korea, Socialist Republic of Vietnam,  
Democratic People's Republic of  
Yemen, Egypt, Ethiopia, Gambia,  
Ghana, Guinea, Guyana,  
India, Indonesia, Iraq, Jamaica,  
Jordan, Kenya, Kuwait, Lao People's  
Socialist Republic, Liberia, Libyan  
Arab Republic, Malaysia, Malta,  
Mauritius, Morocco, Mauritania,  
Mozambique, Nepal, Niger, Nigeria,  
Oman, PLO, Peru, Qatar, Senegal, So-  
malia, Sri Lanka, Sudan, Swaziland,  
Syrian Arab Republic, Togo, Trini-  
dad & Tobago, Tunisia, Uganda,  
United Arab Emirates, United Re-  
public of Tanzania, Yemen, Yugo-  
slavia, Zaire, Zambia.

Observers: Ecuador, Mexico, Venezuela, Organisation of African Unity, League of Arab States, Afro-Asian Peoples' Solidarity Organisation, United Nations Organisation.

**SHRI M. KALYANASUNDRARAM:** This conference and the proposals made therein will go down in the history of the world as very important for the non-aligned countries. This House can congratulate our government on the role played by it in this. But from the reports pouring in from the western countries, they are afraid that this is a threat to their domination of the news agencies. May I know what is the follow-up action that is thought of to make this pool work effectively and match the western countries in their superior technology and organisation? Will this remain only for exchange of information among the non-aligned countries or will this pool set up its own organisation in the western countries also so that the non-aligned countries can know the truth about the western countries and not depend on the mass media of the western countries for knowing about the situation there?

**SHRI VIDYA CHARAN SHUKLA:** The concern of the western countries can be well understood, although the decisions taken in this conference to form a pool etc. are in no way aimed at competing with them or even trying to set up a news agency of our own. This is only providing the framework to the non-aligned nations not only to exchange information but to inform each other of the facts and things happening in their countries without colour being added, as is being done nowadays. The follow-up action is being taken and we are only awaiting the endorsement of our proposals and the decisions taken here by the summit conference shortly to be held in Sri Lanka. As hon. members know, a co-ordination committee has already been formed with the representative of Samachar as Chairman. This committee has already held one meeting in Delhi before the conference concluded. After the summit in Colombo,

this committee will again hold a meeting and decide upon a series of specific actions to be taken, which have already been thought of, but they will be finalised at the next sitting of the co-ordination committee. About communication technology, hon. members might have read that this conference set up a sub-committee which is due to meet in Baghdad after a few weeks, where India also is one of the members and we are going to decide upon the communication facilities, channels to be used, in what way we can exchange communication facilities, make agreements and also standardise the tariff rates and cable rates, etc. So, follow-up action is being vigorously taken and I can assure hon. members that the start made in this conference will be vigorously followed up by the co-ordination committee. We also hope we will get a clear directive and lead from the summit conference that is going to take place in this regard.

**SHRI D. B. CHANDRA GOWDA:** May I know from the hon. Minister what steps he has taken to see that the non-aligned countries represented in that conference implement the decisions that they have taken and what would be the probably incoming decision that will flow from these discussions?

**MR. SPEAKER:** He cannot say anything about the probable incoming decisions. So far as the steps already taken are concerned, he has stated them.

**SHRI R. S. PANDEY:** While congratulating the Minister, may I ask whether the news agencies run by the Western countries, which are not members of the non-aligned club, are still being subscribed to by the Indian newspapers and, if so, when they are going to stop subscribing to them?

**SHRI VIDYA CHARAN SHUKLA:** This question does not relate to the functioning of the Government. The agreements that Samachar had with the various news agencies, that is their own business, we were told re-

cently that *samachar* had terminated their agreement with United Press International of the United States. Recently, I am speaking subject to correction, an agreement with the French or German news agency was also terminated by *Samachar*. They are doing this probably because they have better alternative arrangements or direct links with countries with which they are exchanging news on matters of mutual interest in various publicity media. So, I am sure, *Samachar* is seized of the problem and will take action according to its own requirements.

SHRI S. M. BANERJEE: Mr. Speaker, Sir, I congratulate the hon. Minister for conducting ...

SHRI R. S. PANDEY: I have already congratulated him.

SHRI S. M. BANERJEE: I join him. Fortunately, I got an opportunity to attend some of the sittings as the President of the Federation of the P.T.I. Employees' Union, and I could feel the pulse of the representatives of the non-aligned countries, who were sore about the vicious campaign that was being launched upon by the Western press against some of these countries. I would like to know from the hon. Minister whether *Samachar* is in a position to have an international news agency, like *Reuter* to counteract the vicious campaign of the Western press against us and other non-aligned countries.

SHRI VIDYA CHARAN SHUKLA: According to our information, *Samachar* do have an international wing and they have their representatives in various parts of the world. But we have impressed upon them that they should try to establish their bureau in many other parts of the world, which are of great interest to us, like West Asian countries, African and Latin American countries and other areas, where we do not have satisfactory arrangements. But this requires not only a good deal of financial back up

but also organisation, namely, the proper type of correspondents for this purpose. *Samachar* are seized of the matter, and I am sure they will come up with a scheme. If they require our help, we shall try and examine their request, whenever their request is received by us.

#### Uniform Jail Reforms

\*22. SHRI DINEN BHATTACHARYYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have given any consideration to the long standing demand for a uniform jail reform in all the States; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Yes, Sir.

(b) This being a State subject, the Government of India can only guide and co-ordinate the efforts of the States. Accordingly, different expert groups were engaged in the past in examining the problems, and their recommendations were circulated to the States for implementation.

SHRI DINEN BHATTACHARYYA: Several committees and working groups were set up to go into the conditions prevailing in the prisons in the different States and several recommendations were also made but may I know whether the Government at the Centre has come to any definite conclusion as to what should be the national policy regarding prisons and whether they have thought of any concrete steps to be taken so that the States also may follow suit?

SHRI F. H. MOHSIN: The national policy is to improve the conditions of the jails and also to emphasize the importance of correction and rehabili-

tation of prisoners. This is a subject which is being dealt with by the States, but the main hurdle in this direction is lack of resources. Therefore, we on our part have put up a proposal for the allocation of Rs. 100 crores for a five year period for the improvement of jails in the States, but that is subject to the approval of the Finance Ministry.

**SHRI DINEN BHATTACHARYYA:** I am not satisfied with these answer given by the Minister. It can only be concluded that they have no national policy on prisons in spite of the recommendations received. In the meantime the conditions in the prisons have been seriously aggravated in living conditions in food supplies and other amenities like interviews, the facility of sending letters to the relatives of the prisoners, including the MISA prisoners. They have deteriorated to such an extent that the prisoners have been compelled to resort to hunger strike. Such hunger strikes took place recently for more than a months in the Alipore Central Jail and the Presidency Jail. May I know whether Government has taken note of this and have any suggestions been sent to the State Government concerned because of whose pigheaded attitude the prisoners are unnecessarily suffering and the conditions are getting deteriorated daily?

**SHRI F. H. MOHSIN:** I do not agree with my hon. friend about such bad conditions prevailing in jails. By and large the conditions in jails are satisfactory, but there is always scope for improvement.

The working group on prisons have made some recommendations and they have been sent to the State Governments. By and large, all State Governments have accepted them, but the main hurdle is lack of resources. We have been trying to find out a way to provide them some funds, subject to the approval of the Finance Ministry. If funds are approved by them, everything will be all right. I do not agree

with what he has mentioned about the jail conditions being so bad. They are satisfactory, though there is scope for further improvement.

**SHRI INDRAJIT GUPTA:** He has not replied to the question about hunger strike in the West Bengal jail. Was there a hunger strike?

**SHRI F. H. MOHSIN:** Of course, there was a hunger strike in Calcutta, and it has been withdrawn unconditionally on 4-8-1976. If you want more details, I can give.

**SHRI INDRAJIT GUPTA:** On what issues? And was it withdrawn after some settlement?

**SHRI F. H. MOHSIN:** Initially 146 prisoners of the Presidency Jail, Calcutta, started a hunger strike on 17-5-1976 in protest against the closure of unauthorised kitchens from the morning of that day. The jail authorities had taken this measure as a step for tightening up the security arrangements in the jail from where a serious case of massive escape by extremist prisoners occurred on 24-2-1976. Some measures were taken. Later on, the hunger strike was finally withdrawn unconditionally on 4-8-1976.

**DR RANEN SEN:** From the statement that the hon. Minister has made, it appears that the main impediment to improve the jail conditions is the paucity of funds. He has repeated this more than once. Is it not a fact that, of late, Government have taken a very stiff attitude towards certain prisoners who are considered by the countrymen as political prisoners? May be, their politics are totally wrong, but in spite of that they are considered to be political prisoners. All the facilities and concessions that the prisoners used to get, which they earned years ago by resorting to hunger strike in the years 1949-50 have been taken away of late, in the last two or three years, so much

so there have been instances where, out of desperation, many of the prisoners may be committing something folly also. May I know what is the reason behind taking away of those concessions that were granted or that were forced to be granted by the Government, as a result of which the prisoners are now in a very frustrated and desperate condition? There is no question of money involved here. It is a question of attitude. May I know whether it is a question of attitude or not?

**THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY):** Some prisoners had gone on hunger strike for four reasons: one was, they wanted that the unauthorised kitchen should be reopened....

**AN HON. MEMBER:** That was authorised by the jail authorities.

**SHRI K. BRAHMANANDA REDDY:** The second was, reintroduction of the table interviews; the third was, permission for free movement of prisoners within the jail premises; then, discontinuance of transfer of political prisoners against their will. These were the four grounds on which some of them had gone on a hunger strike. You may also recollect that this has happened after 24-2-1976 when, as all of you know, so many prisoners had tried to escape and there was a clash and some prisoners were shot down...

**SHRI INDRAJIT GUPTA:** The Minister says, 'as all of you know'. How are we to know? Have you told the country?

**SHRI K. BRAHMANANDA REDDY:** Subsequent to that incident where there was shooting, etc. some steps had to be taken by the jail authorities to control the prisoners in jail. That is why, some steps had been taken, and subsequently the prisoners gave up unconditionally the hunger strike on 4-3-1976.

जी डी० एम० सिवारी : मैं जानना चाहता हूँ कि क्या कोई गाइड लाइन तैयार की गई है और उनको स्टेट्स की सेवा गयी है जिसका बे इम्प्लेमेंट कर सकें, फाला कर सकें ?

**SHRI F. H. MOHSIN:** The Working Group had made some recommendations and those recommendations have been sent to the State Governments for implementation.

**AN HON. MEMBER:** What are those recommendations?

**MR. SPEAKER** Next questions....

**SHRI RAMAVATAR SHASTRI:** rose.

**MR. SPEAKER:** No please. We have already spent ten minutes over this one question.

#### Subsidy for Industrial Units

\*23. **SHRI Y. ESWARA REDDY:**  
**SHRI BIBHUTI MISHRA:**

Will the Minister of **INDUSTRY** be pleased to state:

(a) whether Government are likely to disburse about Rs. 10 crores during the current year as subsidy for industrial units being set up in backward areas;

(b) if so, the allocation of funds, State-wise.

(c) whether some drawbacks in the implementation of this scheme were detected by a study conducted by an official Committee; and

(d) if so, the facts thereof and the measures being taken in this regard?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI A. P. SHARMA):** (a) Yes, Sir. The present budget allotment for the current year 1976-77 is Rs. 10 crores for this scheme.

(b) These funds are not allocated statewise but are paid on performance.

(c) Yes, Sir. An Official Committee had studied the subsidy scheme.

(d) The Report of this Committee headed by Shri P. C. Nayak, formerly Secretary, Industries Government of Maharashtra, has already been placed on the Table of the House during last Session. The Recommendations made by this Committee are under examination of Government.

**SHRI Y. ESWARA REDDY:** May I know whether it is a fact that the analysis made by the official committee reveals that the backward States have received a comparatively less subsidy than certain advanced States;

Secondly, the subsidy received by the small scale units was very meagre as compared to the large and medium industries and lastly, the little subsidy that is given has gone to help the growth of capital-intensive industries in the areas where labour-intensive industries were needed. May I know if this is a fact that if so what are the immediate measures the Government has taken to rectify these draw-backs, pending a leisurely examination of these recommendations?

**SHRI A. P. SHARMA:** It is not correct that the subsidy has gone mostly to developed States and not to backward States. There is no allocation Statewise and the subsidies are reimbursed according to the amount that has been spent by various States. They make a claim and then this money is reimbursed. Therefore, it is for the States to spend this money and make the claim to the Central Government and, accordingly, it is reimbursed.

**SHRI Y. ESWARA REDDY:** Will the hon. Minister kindly tell us whether any new strategy is being worked out for a speedy, expeditious and uniform development of all the backward areas in the country?

**THE MINISTER OF INDUSTRY (SHRI T. A. PAI):** We have issued

more than 600 licences for industries to be located in backward areas. We have taken up the matter with the public financial institutions, that these schemes must be given preference over similar industries to be located in the developed States. And, apart from that, the subsidy scheme also has been modified to include all agro-processing industries, so that in these backward areas more and more agro-processing industries like cold storage or even small activities can be encouraged on account of the subsidy scheme.

**श्री विभूति मिश्र :** जो उत्तर दिया है उसने वो ऐसा लगा है कि पिछड़े हुए स्थानों में कारखाने लगए गए हैं, वहाँ मदद प्राप्त रहे हैं। मैं जानना चाहता हूँ कि जहाँ कोई कारखाना नहीं लगा है उसके लिए भी आप कुछ कर रहे हैं। मेरा ज़िस्वा ही आप से। वह बैंकर्स एरिया है। 1952 से हम मंत्रालय उस बैंकर्स एरिया में कंप्रेस के टिकट पर चल कर आ रहे हैं। मैं जानना चाहता हूँ कि इस तरह के जिला में जहाँ सरकार ने आज तक कोई उद्योग नहीं लगाया है वहाँ आप कानून उद्योग लगाने जा रहे हैं? किम प्रकार से दम बरौड़ का बटबारा ऐसे एरियाज के लिए आप करने जा रहे हैं? क्या आप स्टेट गवर्नमेंट्स को कोई निवेदन देने जा रहे हैं कि ज़िम बैंकर्स एरिया के लिए पैसा दिया जाए वह पैसा उतरी बैंकर्स एरिया में खर्च किया जाए न कि किसी दूसरे बैंकर्स एरिया में उसको खर्च कर दिया जाए या जहाँ पहले से कोई कारखाना बगैरह लगा है, वहाँ उसको खर्च न कर दिया जाए। आप बराबर माँगते हैं कि दस लाख पापुलेशन से नीचे वाली जगहों पर आप कारखाने लगाएंगे लेकिन ऐसा होता नहीं है। आपके माँगों और कार्यों में कहीं तक तालमेल है, वह मैं जानना चाहता हूँ।

**SHRI T. A. PAI:** The districts where the central subsidy is available was decided by two committees and, with the approval of the Chief Ministers of



all the States, the selection was made of three districts in developed States and six districts in backward States. The subsidy scheme was to induce these people to go to these districts. We are not confining our subsidy scheme to big industries only. Even small-scale industries will get the subsidy in advance if they are located in backward districts. I hope that there will be some kind of a climate created. The Centre can only give the subsidy on the basis of performance. If there is anything more we can do we will look into it. But it is not possible to do it in every district.

**SHRI CHINTAMANI PANIGRAHI:** May I know from the hon. Minister the names of the districts in the backward States which they have selected for the subsidy scheme and may I know whether it has come to his notice that some of the State Governments are utilising this subsidy money either to develop one district or to develop the developed regions? In view of this I would like to know as to what monitoring system you have got to see that the objects of the Central Government to help in the proper development of the backward regions of the country are realised. What is the monitoring system which you have got for this purpose?

**SHRI T. A. PAI:** The information that the money is being diverted by the State Government is not correct because we are verifying the whole thing before reimbursement takes place.

**SHRI CHINTAMANI PANIGRAHI:** There are six districts of backward State which have been selected. May I know about that?

**SHRI T. A. PAI:** I am not able to give the entire list of 6 districts in every backward State. He may put a separate question and I can answer it.

**SHRI CHINTAMANI PANIGRAHI:** He says, on the basis of performance money is being advanced. You have to protect us, Sir.

**SHRI T. A. PAI:** The basis of performance in the particular district among the States which are backward is taken into account when money is given.

**SHRI R. S. PANDEY:** On the basis of backwardness money should be given, not on the basis of performance.

**SHRI K. LAKKAPPA:** The very concept of industrial backwardness in the country has been misinterpreted and also misconstrued. The Expert Committee which went into the question has revealed that certain districts have not been identified as backward districts even though those districts have been backward districts and backwardness has been there. It has been found that even the money allotted in various States have been diverted. Therefore, I would like to know whether you would reorganise the whole thing and identify the backward districts in various parts of the country so that financial help could be pumped in for the development of these backward regions of the country and I would like to know the specific steps taken by the Government in this regard.

**MR. SPEAKER:** You have given a suggestion for reorganisation. That is not a question. Shri Ramavatar Shastri.

**श्री रामावतार शास्त्री :** क्या यह सच है कि ऐसे भी औद्योगिक संस्थान हैं जिन्हें आप मदद देते हैं और वे उस पैसे को हजम कर जाते हैं, उस पैसे से उद्योग घटता नहीं चलता है ? क्या हम तरह की कोई जानकारी सरकार के पास है, अगर है तो वह क्या है और उस तरह के गोलमाल को या हम तरह से जो जनता को ये बोला देते हैं, सरकार को बोला देते हैं, उनके खिलाफ आपने कोई कार्रवाई की है, यदि हां तो कौन सी की है ?

**SHRI T. A. PAI:** Sir, subsidy is distributed to the State Governments on their certification that the industry



has come into existence. We are not aware of such subsidy being distributed to a unit which does not exist. If there is any specific information with the hon. Member, he can give that to me to look into this.

**Revision of Pay Scales of Gujarat Electricity Board Workers,**

+

\*25. SHRI ARVIND M. PATEL:  
SHRI VEKARIA:

Will the Minister of ENERGY be pleased to state:

(a) whether there is any proposal to revise the pay scales of the Gujarat Electricity Board workers;

(b) if so, the decision taken by Government; and

(c) whether an award of Industrial Tribunal is expected in this regard?

THE MINISTER OF ENERGY (SHRI K. C. PANT) (a) to (c) A statement is laid on the Table of the House

**Statement**

(a) The matter of revision of pay-scales of employees of the Gujarat Electricity Board is under consideration.

(b) Under the Electricity (Supply) Act, 1948, State Electricity Boards are empowered to prescribe pay-scales for their employees. As such, the Gujarat Government do not sanction the pay-scales of employees of the State Electricity Board.

(c) Bi-partite negotiations to explore the possibility of arriving at an amicable settlement with the Unions have been initiated and the matter in the Industrial Tribunal has been adjourned with the consent of the Unions.

श्री अरविन्द एम. पटेल : अध्यक्ष जी, मैं जानना चाहता हूँ कि गुजरात सरकार श्री छोर से जितने वेतन मान सुधारने के लिये

ट्रिब्यूनल में रिकर हुए हैं उस में, सीनियर और सीनियर जेनियर के कर्मचारियों के वेतन मानों की जाँच कर सजिबर अधिकारियों के वेतन मान सुधारने के लिये डा० कुरियन की अध्यक्षता में आर्बिट्रेशन नियुक्त कर के बड़े बड़े अधिकारियों के वेतन मान 1 महीने पहले सुधार दिये गये हैं और छोटे छोटे कर्मचारियों को उन में से बंति रखा गया है, ऐसा क्यों है ?

श्री कृष्ण चन्द्र पन्त : अभी तो बाइपार्टाइट नियोजिमेंट्स चल रही हैं। इंडस्ट्रियल ट्राइब्यूनल से मामला खींच कर लेबर और गुजरात स्टेट इलेक्ट्रिसिटी बोर्ड के बीच में बातचीत चल रही है। इसलिये इंडस्ट्रियल ट्राइब्यूनल किनहाल स्थगित है और किनहाल इन की आपस में बात हो रही है तार्किक समझौता हो सके। इंडस्ट्रियल ट्राइब्यूनल को जो मामले रिकर किये गये हैं और उस के बाहर जो डिजीजन्स हैं वह गुजरात सरकार की लेबर पोलिसी के अनुसार हैं।

श्री अरविन्द एम. पटेल : ट्राइब्यूनल में केस स्थगित रख कर द्वितीय विचार विमर्श द्वारा वेतन मान का प्रश्न हल करने के लिये गुजरात विद्युत बोर्ड ने एक सब-कमेटी का गठन किया है उस में वेतन-मान सुधार की जो शर्तें हैं उस से हैल्पर और स्कोपर जैसे श्रमिकों के कर्मचारियों को कोई फायदा नहीं पहुंचना है। तो इन छोटे छोटे कर्मचारियों को फायदा पहुंचाने के लिये सरकार कोई कार्यवाही करने जा रही है ?

श्री कृष्ण चन्द्र पन्त : अभी तो फैसला कोई हुआ नहीं है, दोनों में बातचीत चल रही है, अफसर और काउन्टर अफसर दोनों तरफ से आये हैं। यह उम्मीद की जाती है कि जल्दी ही कोई समझौता हो जायगा। लेकिन अभी कोई फैसला नहीं हुआ है।

SHRI VEKARIA: Sir, in his reply to (c) the Minister said that Bi-partite

negotiations to explore the possibility of arriving at an amicable settlement with the Unions have been initiated. The Committee was appointed in April or May 1975. One year and three months have passed. Because of the attitude of the Chairman, the meeting of this Committee was not called. That is why there is a delay. So, I would like to know from the Minister whether, now there is no Government in Gujarat, the Government would press the Chairman to come to the conclusions before the proposals put forward by the workers reach the Committee.

**SHRI K. C. PANT:** There is very much the Government there in Gujarat. It is on the basis of the information supplied by them that I have mentioned in answer to an earlier question that it is hoped that an amicable settlement would be arrived at in the near future. This is what I said on the basis of the information supplied by the State Government.

**SHRI VEKARIA:** May I know when the Chairman is likely to call the meeting?

**SHRI K. C. PANT:** I do not know the exact date.

**SHRI INDRAJIT GUPTA:** Sir, I would like to know whether it is in the knowledge of the Minister that whereas the question of revision of pay scales of the lower paid employees of the Gujarat State Electricity Board is dragging on since 1974, the Government have appointed one Dr. Kurien as an arbitrator to go into the pay scales of these engineers—senior engineers, deputy engineers and junior engineers—and that the award has already been given covering not only engineers but also the Chairman of the Board, the Members of the Board, the Secretary of the Board who have all been given the increases, I would like to know from him whether he considers this to be an equitable state of affairs that only lower paid employees should remain without any revision for such a long

time. Has the Government of India issued any guidelines in this respect not only to the Gujarat Board but to all other State Board to see that negotiations are conducted expeditiously everywhere because revision is overdue since 1974?

**SHRI K. C. PANT:** It is true that revision is overdue since 1974 because the previous settlement expired on 31-3-74. But even after that, a special interim relief of Rs. 30 per month has been given by the State Electricity Board which an autonomous organisation. They have also given an interim relief sanctioned on the lines of the State Government's interim relief. They have increased the dearness allowance. Thus these three steps have certainly increased the wages of workers there. But as for the basic question, it was referred to a tribunal and an attempt is now being made to settle the matter outside the tribunal by mutual discussion. As I said earlier, they are hopeful of arriving at an amicable settlement in the near future. Beyond that I do not know the details of exactly what offers and counter-offers have been made. But I do know the broad line which is being adopted by the Gujarat Government which they have indicated.

#### International Gang of robbers held in Delhi

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\*26. DR. RANEN SEN:

SHRI SARJOO PANDEY:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether an international gang which used to rob foreign tourists was held by the Crime Branch in Delhi recently; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN  
THE MINISTRY OF HOME AFFAIRS,  
DEPARTMENT OF PERSONNEL  
AND ADMINISTRATIVE REFORMS

AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): (a) Yes, Sir.

(b) Three cases have been registered one each at Police Station Lajpat Nagar, Connaught Place and Darya Ganj and five persons have been arrested.

DR. RANAN SEN: This is very unfortunate. I wanted to know in (b), the facts. Are these the only facts. Recently we have heard of so many cases of crimes committed by these foreign tourists and police arrests. These facts are there, but he simply finishes it in one minute.

SHRI OM MEHTA: I can go on for five minutes, but I thought he would be satisfied by this.

I could give more facts. On the night of 5/6 July 1976, when a party of French tourists was staying in Vikram Hotel, New Delhi, accused Daniel Chaumet alias Sobraj Charles Gurmakh along with his associate Jeanne Dhusime distributed some tablets amongst the members of the party saying that they would thereby be able to avoid stomach infection. Soon after taking the tablets some of the members started vomiting...

MR. SPEAKER: Is it a long statement? Give the bare facts.

SHRI OM MEHTA: There are five of them I will give their names. They have committed about 11 robberies, and they have been arrested. I think commendable work has been done by the Delhi Police because they were an international gang of robbers who have been arrested. They were jumping bail and going out. Their names are Daniel Chaumet alias Sobraj Charles Gurmakh, Jeanne Dhusime....

DR. RANAN SEN: He need not give the names.

MR. SPEAKER: He does not want the names.

SHRI S. M. BANERJEE: Let him read the names I want to know. Somebody may come into my house.

DR. RANAN SEN: He does not know how to pronounce the names, nor are we able to follow. It is much better that he does not mention the names.

SHRI OM MEHTA: He may know how to pronounce French names. I am not a French expert.

They were robbing tourists who were coming and staying in various hotels. They committed about 11 robberies in different hotels, some in Delhi, some outside Delhi. Whenever they operated, they were giving drugs to the victims and after that they used to rob of them. Mostly they are cases of robbery. In some cases, the tourists also died.

DR. RANAN SEN: In our craze to entertain foreign tourists in order to earn foreign exchange, it seems a large number of criminal elements are coming to India ostensibly as tourists, and behind this facade they commit all sort of crimes. This incident took place only very recently, but before that there was another very big incident in which it was found out that one criminal bored through the floor of a room in Ashoka Hotel in order to get into a jewellery shop. We come to know of all sorts of stories. It raises the very big question as to whether the government have any screening arrangement to see that such people are easily detected. The work of Delhi Police is commendable but those persons, we should remember, had been arrested after committing eleven offences. It is reported in the newspapers that some of them were connected with international gangs. Therefore, may I know whether there is any system of at least preliminary screening and some kind of scrutiny into the antecedents of those persons?

**SHRI OM MEHTA:** To the extent possible screening is done. It is not possible to do a thorough screening when lakhs of foreign tourists come. But to the extent possible screening is done. Besides, all those cases were not committed in India alone. They committed crimes in Thailand and Nepal also; they committed 5 or 6 cases in India in the past few months. During the four or five months when they were in Delhi and when they committed the crime we apprehended them and we arrested all of them.

**DR. RANEN SEN:** Besides foreign tourists may I know whether the government is aware of the ever growing invasion of India by hippies who commit not only this sort of crime but also many other obnoxious things? Has any step been taken to control or screen the hippies particularly?

**SHRI OM MEHTA:** This question is not connected to the main question; they have not committed to our knowledge any theft or robberies as was committed by international criminals.

**SHRI NITIRAJ SINGH CHAUDHARY:** In view of the fact that the persons arrested are members of an international gang of robbers and they have committed offences throughout the length and breadth of the world, may I know whether those persons are in demand in other countries? May I also know whether those persons will not be allowed to leave India till they are tried and they have served their sentences if found guilty?

**SHRI OM MEHTA:** We will not allow them to leave the country unless they are tried and punished, if found guilty.

#### **Preferential Rates of Advertisements to English Newspapers**

\*27. **SHRI DHAMANKAR:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether it is proposed to do away with the preferential rates of advertisements enjoyed so far by the English newspapers over the language newspapers;

(b) if so, when;

(c) whether the desirability of giving better rates of advertisements to smaller newspapers so as to help them get more advertisements has been considered; and

(d) the agency to decide rates, quantum and medium of advertisements to newspapers?

**THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA):** (a) Yes, Sir.

(b) The new rate structure is likely to be finalized soon..

(c) Yes, Sir.

(d) The Directorate of Advertising and Visual Publicity (DAVP) of the Ministry of Information and Broadcasting will be the agency.

**SHRI DHAMANKAR:** The hon. Minister deserves our congratulations for having taken this correct decision that there should be no preferential treatment to English newspapers. There are very few persons in this country in the village areas who understand English and since we have to reach our propaganda to the lowest strata of society, only local language newspapers can reach them. The English newspapers are prospering because they are getting preferential treatment in the case of rates I want to know whether there is any time limit within which this decision will be implemented? He said: soon. Would it be implemented before the end of this year?

**SHRI DHARAM BIR SINHA:** I am happy at the appreciation of the hon. Member to the decision that the gov-

ernment has taken. As I said we shall implement it very soon. We will wait only till the time the committee to go into the rate structure submits its report. This committee consists of the chief cost accountant and the financial adviser and of the DAVP of the Ministry. Since the rate structure of so many newspapers spread all over the country, and belonging to different categories and different circulation figures, is being considered, it will take a little time but I am sure this committee's report will be available to us within two months. As soon as the report is available we would be able to implement the decision.

**SHRI DHAMANKAR:** May I know whether this policy will be made applicable to semi government institutions and public sector industries and whether local and district and regional newspapers will be encouraged in the case of advertisements?

**SHRI DHARAM BIR SINHA:** The rate structure will also be implemented by the semi-government and autonomous organisations. It is our policy to go to district newspapers because the reach of the district newspapers has developed in recent years and is impressive. They will be given preferential treatment.

**SHRI BHAGWAT JHA AZAD:** Is it a fact that today 70 per cent or more of the advertisements are going to the English newspapers and the language newspapers at district level and other levels are starving? If I am wrong, he can give the correct percentage today. If that is so, till the committee report is received, would they like at present to fix in principle the percentage that should go to the language newspapers at the district and other levels?

**SHRI DHARAM BIR SINHA:** It is very difficult to say that percentages can be fixed. Naturally, as the media grow in this country, the number of district and small newspapers will

continue to grow. We expect to reach a time when these newspapers will have the largest percentage possible. At the moment, I do not have the figures in terms of language. But in terms of circulation, since 1975-76, we have increased the distribution of our advertisements from 27 per cent to 32 per cent in favour of small and medium newspapers. A 5 per cent increase in a year, I think, is a creditable performance. In the media list itself, we have increased the number of small and medium newspapers getting DAVP advertisements from 1800 to 1900.

**SHRI KRISHNA CHANDRA HALDER:** Not only is there preferential treatment for English language papers, but there is also political discrimination in distribution of advertisements. After the emergency, giving of advertisements to small and medium papers run by the opposition parties, especially the CPM, has been stopped. I want to know the policy of the government, whether they will remove this political discrimination in distribution of advertisements to medium and small papers.

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA):** There is no political discrimination as far as distribution of government advertisements is concerned. We have as a matter of policy decided that we should support the language newspapers and small and medium papers, particularly that are published in areas which are inhabited by the weaker sections of society like scheduled castes and scheduled tribes and border areas. May I say that as recommended by various parliamentary committees and by Parliament itself, all the advertisements are going to be routed through the DAVP? The DAVP will determine the media to be used, i.e. the newspaper or periodical to be used. It will also determine the quantum of advertisement and the rate to be paid. One significant decision that has been taken is this. In the past even when

an Indian language newspaper had an identical circulation as an English newspaper, the English newspaper used to get more rate for the advertisements and the language paper used to get less. This differential rate has now been abolished. The language newspapers will get the same rate as the English newspapers. As, I said, there is no political discrimination in this. There is an unstarred question we have answered today giving the criteria on which these advertisements are given. The criteria have been spelt out in the answer to that Unstarred Question. The hon. Member would do well to refer to that Unstarred Question, and if he wants any further clarification, if he asks a question, we shall answer that.

श्री भान सिंह जीरा: मैं मंत्री महोदय से जानना चाहूंगा कि यह जो पालिसी आपने बनाई है यह डी ए बी पी और दूसरी ग्रिडिंग्स पर लागू होती है अगर बहुत ग्रिडिंग्स जो बड़े हैं वे प्राइवेट एंटरप्राइजेज से ऐडवांटाइजमेंट्स लेते हैं, उनके पास बहुत से ऐडवांटाइजमेंट्स उधर से भी आते हैं ता कि आप प्राइवेट ऐडवांटाइजमेंट्स पर भी कोई नियंत्रण करेंगे जिसे मैं कि वह दूसरे ग्रिडिंग्स को भी मिले ?

श्री विद्याचरण शुक्ल : जी नहीं । प्राइवेट ऐडवांटाइजमेंट्स पर हम लोग कोई नियंत्रण कर रहे हैं ।

#### Reserved Posts for Army Personnel

\*28. SHRI HARI SINGH: Will the Minister of DEFENCE be pleased to state:

(a) whether a scheme of "lateral induction" for army personnel against reserved posts is under the consideration of Union Government; and

(b) if so, main features of that scheme?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) and (b). A

statement is laid on the Table of the House.

#### Statement

A study is being undertaken, on the question of inducting Army personnel into the posts reserved for them in Government Services, the Para Military Forces and the Public Sector Undertakings, and of the need for giving them relaxations in regard to age-limit, prescribed educational qualifications and physical and medical standards laid down for recruitment.

The Study Group set up for this purpose will go into the reasons for the present short-fall in filling up of the reserved vacancies for ex-servicemen, and make recommendations for improving the existing arrangements for absorption of the ex-servicemen not only in Government Departments and Public Sector Undertakings but also in the Private Sector.

A limited number of posts in the civil departments including Public Sector Undertakings are even now being filled by lateral induction of service personnel into these posts when they are on the verge of release retirement from the Services.

श्री हरी सिंह : मैं रक्षा मंत्री महोदय से जानना चाहता हू कि जो स्टडी ग्रुप स्टडी कर रहा है, इस बात की कि मिलिटरी सर्विस के लोगों के लिए जो रिजर्व सीट्स हैं, सर्वनमेंट में लिए जाने के लिए उनकी रिपोर्ट और उन की फाइडिंग्स कब तक सदन को दे देंगे और उन की जो फाइडिंग्स हैं, जो स्टडी है और रीजिस्ट्रार हैं न भरे जाने के उन के बारे में अब तक क्या प्रगति है ?

SHRI J. B. PATNAIK: This question of the resettlement of ex-servicemen in engaging the attention of the highest in the land. The Hon'ble Prime Minister herself convened a meeting on the 29th April this year, and in that meeting she directed the Cabinet Secretary form a special Study Group to go into the re-settlement of ex-servicemen. The Study Group

has been formed and it would submit its report by 15th September. After studying that report, if it is necessary, it would be laid on the Table of the House.

**श्री हरी सिंह :** मैं मंत्री महोदय से जानना चाहता हूँ, यह धिलकुल सत्य है कि एक मिलिटरी मेन का जो कोटा रिजर्व है उस को पूरा नहीं किया जाता तो क्या सरकार ऐसी कोई कमेटी बनाने पर विचार करेगी जिसमें कि एक्स-सर्विसमेन भी हों जो देखें कि सरकारी बिभागों में यह कोटा क्यों नहीं पूरा होता जा रहा है ?

**अध्यक्ष महोदय :** आप दूसरे सवाल का उत्तर दें जो नई कमेटी बनाने के बारे में पूछा है।

**SHRI J. B. PATNAIK :** This Study Group will discuss this question in depth. So there is no question of appointing another Study Group.

**SHRI PRIYA RANJAN DAS MUNSI :** Out of the Emergency Commissioned Officers who were recruited in 1962 immediately after the Chinese aggression and who were asked to go back to their homes in 1964, out of them how many have been absorbed in various capacities in Government and semi-Government organisations? Are there still instructions to the State Government to reserve a quota for these Emergency Commissioned Officers who served the Indian army in 1962?

**SHRI J. B. PATNAIK :** I have no figures with me. If notice is given, the figures can be supplied.

**SHRI INDRAJIT GUPTA :** What is the average number of (a) officers and (b) other ranks, who are discharged from the army every year and thrown on to the employment market? Secondly, are their names and particulars kept in a separate register with the Director of Resettlement, or are they expected to go on

their own and register themselves with the general employment exchanges in the country?

**SHRI J. B. PATNAIK :** With regard to the first part of the question, more than 50,000 men and about 600 officers are released every year from the armed forces. The names and particulars of the released personnel, including those of the officers, are sent to the Sainik Boards to keep their records.

As far as the employment exchanges are concerned, it is up to these people to register their names in the employment exchanges.

#### Electrification of Villages in Gujarat

\*29 **SHRI D. D. DESAI :** Will the Minister of ENERGY be pleased to state:

(a) what is the percentage of Gujarat's villages electrified; and

(b) when will 100 per cent electrification be achieved?

**THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD) :** (a) There are 18,275 villages in Gujarat. 35.1 per cent (6,420 villages) were electrified upto 30th June, 1976.

(b) Plan for 100 per cent electrification in the State has not yet been drawn up.

**SHRI D. D. DESAI :** The Committee of Dr. Kothari and Dr. Daji have found that the cost-benefit ratio in Gujarat is 69, 53 and 41 per cent respectively at 6, 9 and 12 per cent rates of interest. Kerala and Tamil Nadu are about to complete hundred per cent rural electrification. Haryana, Punjab, Pondicherry and Delhi have already accomplished this job. Under the circumstances, when the cost-benefit ratio is less in the State and as Government's policy is to see that migration from the villages to the cities is stopped, that food produc-



tion is increased by tubewells and that greater emphasis is laid on rural development, may I know why these plans are being delayed?

**PROF. SIDDHESWAR PRASAD:** There is no question of delay. Gujarat is really above the all-India average for rural electrification. As far as the target of achieving hundred per cent rural electrification is concerned, recently at a meeting of the Chairmen of the State Electricity Boards it was decided that all the State Electricity Boards should be asked to draw up such plans. The Central Electricity Authority has taken up the matter with the State Electricity Boards and they have been asked to Submit a report by the end of this month.

**SHRI D. D. DESAI:** Although the hon. Minister has stated that there is no reason for delay or that there are no actual plans for delay, I believe that the only constraint could be finance. Here also, you will find that there has been surplus in some portfolios in certain years, and if there is better co-ordination, these funds can be diverted in directions where there is better utilisation and where the return is higher than borrowing rate of the Government.

**MR. SPEAKER:** The hon. Member should await the report. He says the report will be available in a month. That will deal with all these aspects.

**SHRI P. G. MAVALANKAR:** May I know when this plan for hundred per cent rural electrification not only in Gujarat but in various other parts of the country will be implemented, and whether inadequate Central assistance for this purpose is also responsible for the slackness, particularly in areas where electrification is most needed because of industrialisation etc. My own district of Ahmedabad, I was shocked to hear at a meeting only two weeks ago, is still not hundred per cent electrified simply because there is no plan and there are no adequate funds from the Centre.

**THE MINISTER OF ENERGY (SHRI K. C. PANT):** Rural electrification was previously entirely the responsibility of the State Governments, it had nothing to do with the Centre, but the Rural Electrification Corporation was set up so as to assist in the rural electrification programme. So, whatever perspective plan the State draws up, it will have to take into account the expenditure that it is itself prepared to incur on this programme, and not rely entirely on the Centre. As my hon. friend knows, the State Plan is drawn up by taking Central assistance into account as a lock. There is no earmarking for rural electrification as such in the State Plan. So, unless the State Government is anxious to see that more money is diverted to rural electrification, there is very little that we can do in the matter. So, their interest in this matter is necessary in order to speed up rural electrification.

#### Computer Technology

\*30 **SHRI RAJA KULKARNI:** Will the Minister of ELECTRONICS be pleased to state:

(a) whether Government have evolved a comprehensive national policy on computer technology; and

(b) if so, the progress made by Electronics Commission in this respect?

**THE MINISTER OF ENERGY (SHRI K. C. PANT)** (a) and (b). A statement is laid on the table of the House.

#### Statement

(a) The Electronics Commission has laid down policies with regard to various aspects of computer technology such as, imports, industrial licensing, priority areas for use of computers, technology development, software exports, and the manufacturing programmes of foreign companies. The nature of these policies have been set down in some detail in Sec-



tion 9 of the Annual Report of the Department of Electronics for 1975-76.

(b): The following are some of the significant policy decisions and actions taken in this regard by the Electronics Commission:

- (i) The Department of Electronics has been made responsible as the nodal Ministry of Government for coordinating the requirements of all users in the country relating to electronic data processing equipment and all matters concerning computer-based information systems and technology.
- (ii) Policies and administrative procedures for import of computers above the value of Rs. 5 lakhs, have been laid down.
- (iii) The configurations of computer systems for priority sectors such as Defence, Oil, Agriculture, Steel, Atomic Energy, Planning, Industrial Production and Regional Computer Centres for specific applications as indicated by the users have been defined and clearances for import given.
- (iv) Programmes for the import of computers for export of software on the basis of guarantees, and by Indian nationals returning from/residing abroad, have been implemented.
- (v) Action regarding issue of industrial licences for programmable calculators, mini-computer peripherals, micro-processor-based telecommunication systems and cash registers, and limited industrial licences for mini-computers has been taken; this is a continuing process.

(vi) Supply of computers by foreign computer companies operating here on the basis of refurbishing of used machines imported on an 'AS IS' basis, has been terminated.

(vii) The programmes of foreign computer companies operating in India have been examined under Foreign Exchange Regulation Act and recommendations made for reduction of foreign equity to 40 per cent or discontinuance of all their current activities classified as trading, marketing, operation of data centres etc.

(viii) Technology development contracts amounting in money terms to about Rs 3 crores for the development of computer hardware and software, have been given to public sector companies.

(ix) With assistance from United National Development Programme, a National Centre for Software Development and Computing Techniques has been set up at the Tata Institute of Fundamental Research, Bombay. A National Informatics Centre has been approved for implementation at New Delhi. A Regional Computer Centre at Calcutta is being set up.

**SHRI RAJA KULKARNI:** It is good that a public policy has now come up on various aspects of computer technology imports industrial licensing priority areas, technology development and the manufacturing programmes of the foreign companies operating in India. I would like to draw the attention of the hon. Minister to the report of the Public Accounts Committee where in the working of computers in more than a dozen government departments has given, and under-utilisation has been

found, Is the Government thinking of appointing an expert panel to probe into capacity utilisation of computers and electronic data processing machines used in various government departments and public sector corporations? ..

**SHRI K. C. PANT:** If my hon. friend has gone through the statement which I have given, he will see that the Electronics Commission does look into this matter as to what is the capacity available, what are the particular uses of the consumers and where can pooling be done for the benefit of all government departments located in an area. All these things are definitely looked into the Electronics Commission.

#### WRITTEN ANSWERS TO QUESTION

##### Poverty Conditions in India

\*24. **SHRI SOMNATH CHATTERJEE:** Will the Minister of PLANNING be pleased to refer to the reply given to Unstarred Question No. 1325 on the 28th January, 1976 regarding poverty conditions in India and state the number and proportion of population below poverty line in the urban and rural areas, separately, as in 1973, 1974 and 1975?

**THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSE):** No fresh information has become available since the reply was given to the Unstarred Question No. 1325 on the 28th January 1976.

##### Accumulation of Coal at Pit Heads due to fall in quality

\*31. **SHRI NITIRAJ SINGH CHAUDHARY:** Will the Minister of ENERGY be pleased to state:

(a) whether there is accumulation of coal at pit heads and consequential reduction in production target by

1203 L.S.—2

ten million tonnes because of fall in quality;

(b) whether complaints have been received regarding supply of coal, specially from M.P. coal fields; and

(c) if so, steps taken to improve the quality?

**THE MINISTER OF ENERGY (SHRI K. C. PANT):** (a) No, Sir. The accumulation of pit head stocks is due to the demand for coal being below the anticipated level and not due to any fall in quality. The demand for coal by the end of 5th Five Year Plan is now estimated at about 124 million tonnes as against the earlier estimate of 135 million tonnes.

(b) Some complaints have been received from time to time from the consumers regarding supply of inferior quality of coal by the coal producing agencies including those supplying coal from M. P. Coalfields.

(c) Several steps are being taken by coal producing organisations including introduction of screening and sizing arrangements, joint sampling, setting up quality control Departments, Complaint Cells, introduction of contracts with Bonus-cum-Penalty clause, posting of inspectors at the loading points etc so as to ensure the supply of the required quality of coal to consumers. Besides, this, a committee has also been set up to go into the question of quality of coal supplied by the collieries which will make recommendations regarding the steps to be taken for the production and supply of suitable coal to the consumers.

##### Hydro-Electric Potentials in Chakra and Varahi Rivers

\*32. **SHRI P. R. SHENOY:** Will the Minister of ENERGY be pleased to state:

(a) whether Chakra and Varahi rivers in Karnataka are having hydro-electric potential; and

(b) if so, how this potential is proposed to be used and by what time?

**THE MINISTER OF ENERGY (SHRI K. C. PANT)** (a) and (b) The Chakra and Varahi rivers in Karnataka are estimated to have an annual energy content of 500 million units and 1000 million units respectively. According to the construction programme drawn up by the project authorities, the Chakra Project is expected to be completed by June, 1980. The Question of taking up the Varahi Project for construction, is under consideration.

#### **Inquiry into the affairs of the Statesman**

**\*33. SHRI MOHAMMAD ISMAIL:** Will the Minister of INFORMATION AND BROADCASTING be pleased to refer to the reply given to Starred Question No. 335 on the 31st March, 1976 regarding inquiry into the affairs of the Statesman and state:

(a) what steps have been taken by Government to protect the services of the suspended workers of the Statesman, New Delhi; and

(b) what special steps his Ministry has taken to get vacated the stay order obtained by the Statesman management from the Calcutta High Court against the Government's show-cause notice?

**THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA):** (a) It has been ascertained that the management is carrying on inquiries against 14 workmen of the Statesman. They are receiving suspension allowance under orders of the High Court. Since no punishment has yet been awarded to any of these, the question of intervention by Government authorities under legal powers does not arise.

(b) Steps have been taken to contest the writ petition and the matter is sub-judice.

#### **Escape of Prisoners from Tihar Jail, Delhi**

**\*34. SHRI JHARKHANDE RAI:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in May, 1976 some prisoners escaped from Tihar Central Jail, Delhi;

(b) if so, whether they have been re-arrested; and

(c) whether any steps were taken to find out as to how they managed to escape?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA)** (a) to (c). No prisoners escaped from Tihar Central Jail in May, 1976.

#### **Reservation of Items for Small Scale Sector**

**\*35. SHRI JAGANNATH MISHRA:** Will the Ministry of INDUSTRY be pleased to state:

(a) whether Government have decided to reserve some additional items for development in the small scale sector; and

(b) if so, names of those items?

**THE MINISTER OF INDUSTRY (SHRI T. A. PAI):** (a) Yes, Sir.

(b) The additional items reserved are:

1. Certain categories of Electric Motors upto 10 HP.

2. Plywood Tea Chest; and

3. Camel Back (which is a material used in tyre retreading).

#### Abolition of Control on Cement

\*36. SHRI P. GANGA REDDY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to abolish control on cement and its prices in the country; and

(b) if so, the advantages thereof?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) and (b). While the Government have not taken any decision in this regard, various suggestions received in this connection are always examined.

#### Untapped High Grade Coal in Abandoned Collieries

\*37. SHRI H. N. MUKERJEE: SHRI SAROJ MUKHERJEE:

Will the Minister of ENERGY be pleased to state:

(a) whether about 136 million tonnes of high grade coal is lying untapped in abandoned collieries of Giridih, Jharia and Raniganj coal fields;

(b) whether Coal India Ltd., has taken steps to restart mining operations in the abandoned collieries; and

(c) if not, whether a thorough enquiry and survey to have a correct estimate is contemplated?

THE MINISTER OF ENERGY (SHRI K. C. PANT): (a) it is estimated that about 2.23 million tonnes of good quality coal is lying in the Giridih coalfield in abandoned collieries. There may be some quantity of high grade coal lying untapped in abandoned collieries in Jharia and Raniganj coal-fields. However, their quantitative assessment is not possible.

(b) A feasibility report was prepared for working the pillars standing in abandoned mines and the coal barriers between mines in the Giridih coal field. These pillars are under water. The working of these reserves will involve pumping of a huge quantity of water. To examine the possibility of working of these reserves safely, economically and scientifically, a Committee has been constituted by Coal India Ltd. The abandoned mines in Jharia and Raniganj coalfields have been either amalgamated with some of the existing mines or they have been reopened wherever it was found technically and economically feasible.

(c) Does not arise.

#### Production of Wrist Watches

\*38. SHRI S. R. DAMANI: Will the Minister of INDUSTRY be pleased to state:

(a) the main features of the new scheme reported to have been initiated for increasing production of wrist watches in the country with Swiss collaboration;

(b) whether its employment potential and other economic aspects have been examined;

(c) if so, the facts thereof; and

(d) the time by which the scheme will be implemented?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) to (d). Messrs Hindustan Machine Tools Limited have a plan to increase production of wrist watches (Hand wound) from 6.6 lakh to 30 lakhs per annum in two phases, in respect of which the components and movements would be manufactured by the Hindustan Machine Tools and assembled in selected areas dispersed round the country. There is a further proposal

for HMT to seek Swiss collaboration and assistance for further enhancement of watch making capacity in India for which a Project Report for expanding the production is under preparation. The details regarding employment potential and other economic aspects will be known after the report is completed. Care is being taken to work out the scheme for the decentralised assembly of watches so as to provide employment to skilled operators in different parts of the country.

Government have also given 'approvals to some projects in the private sector for setting up of wrist watch manufacturing units in the country specifically with Swiss collaboration. The brief details of these proposals are given in the statement.

Of these, two companies viz. M/s. Hegde & Golay and M/s. Sandhi Tressa Time Industries Pvt. Limited have already gone into production. The remaining projects are at various stages of implementation.

#### Statement

*Watch manufacturing programmes with Swiss Collaboration approved so far (as on 7-8-76)*

Sl. No.	Name of the party	Name of foreign collaborator	Capacity	Location	Remarks
			Lakhs		
1.	M/s. Sandhi Tressa Time Industries Private Ltd.	M/s. Tressa Watch Co. Ltd., Geneva, Switzerland.	3.6	Shahdara, Delhi.	
2.	M/s. Hegde & Golay Pvt. Ltd., Bangalore.	M/s. Bernard Golay, Switzerland.	1.00	Bangalore.	
3.	Shri G.S. Purewal, Simla.	M/s. Revue Thommen A. G. Switzerland.	6.00	Dharampur (Simla Hills)	
4.	Shri H. C. Bangara, Bombay.	M/s. Roemer Watch Co. Switzerland.	3.6	Maharashtra/Haryana.	4
5.	M/s. Camy India, Bombay.	M/s. Camy Watch Co. Ltd., Geneva, Switzerland.	4.8	Maharashtra/Gujarat.	
6.	M/s. Sandoz (India) Ltd., New Delhi.	—	2.8	Shahdara, Delhi.	While this project <sup>41</sup> is being set up without any financial or technical collaboration some import of machinery etc. has been arranged by the applicant, who is a non-resident Indian.

### Import of Essential Commodities

\*39. SHRI K. M. "MADHUKAR": Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government have decided to import some of the daily necessities of the poor people to fight against the game of the speculators and traders; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) and (b). Government have taken several measures to ensure availability of daily necessities to the poor people and for counteracting the speculative trade. Apart from extending the public distribution system, anti-hoarding measures have been intensified. In addition domestic supplies of edible oils are being supplemented by imported vegetable oils like Soyabean oil, Palm oil, Rapessed oil to the extent of 1.25 lakh tonnes between July and December, 1976. Similarly, imports of kerosene oil of 8 lakh tonnes have been decided upon during the current calendar year.

### Participation of Film Artistes in A.I.R. and T.V. Programmes

\*40. SHRI N. E. HORO: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether his Ministry has proposed participation of film artistes in AIR and Television programmes;

(b) whether there has been any agreement between the representatives of the Film Industry and his Ministry in this regard; and

(c) if so, the broad outlines thereof?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA): (a) Yes, Sir.

(b) Yes, Sir. As a result of discussions in various forums of film personalities, an agreement is being worked out to seek their participation in AIR and T.V. programmes.

(c) The agreement provides for the Producers/Directors/Composers Lyricists/Story or Dialogue Writers/Performers etc. to participate in programmes broadcast/telecast over AIR and Doordarshan in such manner as may be decided by the Director General, AIR/Doordarshan on payment of fee on rates prevalent in AIR/Doordarshan from time to time.

### Distribution of Essential Articles through fair price shops

149. SHRI C. K. CHANDRAPPA: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether State Minister for Industries had assured recently that the distribution of all necessary articles including food for students would be made at reduced prices through the fair price shops in all the States; and

(b) if so, what steps have been taken in that direction?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) and (b). In pursuance of implementation of part of the 20-Point Economic Programme, Government have formulated a scheme for supply of essential consumer articles to the student community. 76 Central Consumer Cooperative Stores in 43 towns have been selected for the supply of these commodities to students through consumer cooperative institu-

tions. The State Governments have also been advised to extend the scope of the scheme to students' hostels in University/Degree Colleges and approved lodging houses in all cities and towns with a population of 1 lakh and above, and also to hostels and institutions of higher education, even at places with smaller population. Under the scheme, the cooperative institutions will make supplies to students' hostels, University/Degree Colleges, which are essential in nature, such as foodgrains, pulses, spices, vanaspathi, edible oils, tea, coffee, soap, bread, eggs, controlled cloth, salt, luxuriery goods, cycle tyres and tubes, paper and stationery including exercise books, dry battery cells etc. on preferential/concessional terms to be settled mutually between the cooperatives and students' hostels. Arrangements have been made through the Public Distribution System, including cooperatives, for supply of essential consumer goods to 3344 students' hostels in University/College hostels and approved lodgings under the programme benefiting 2.71 lakh students as at the end of June, 1976.

It has recently been decided to make Central assistance available for the establishment of "Common Kitchen Centres" for "Students" through University/College Consumer Cooperative Stores. Under this scheme, the assistance of Rs. 20,000 would be made available for setting up common kitchen centres for students, through the University/College Consumer Cooperative Stores, for running each such centre consisting of a unit of about 100 students. Out of this, Rs. 15,000 would be given as share capital contribution to each of the societies to serve as margin money and Rs. 5,000 or 50 per cent of the actual cost involved (whichever is less), for the purchase of utensils and other essential kitchen equipments, furniture etc. for running such kitchen centres for students. The State Governments have been asked to furnish proposals for sanction.

दामापुर छावनी के निवासियों की समस्याएं

151. श्री रामावल्लभ शर्मा : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि,

(क) क्या दामापुर छावनी बोंई क्षेत्र के निवासियों ने अपनी कुछ समस्याओं के बारे में हाल ही में एक जापन पेश किया है ;

(ख) यदि हा, तो तत्संबंधी तथ्य क्या हैं ; और

(ग) सरकार को उसके बारे में क्या प्रतिक्रिया है ?

रक्षा मंत्रालय में उप-मंत्री (श्री जे० बी० प्रधानाध्यक्ष) : (क) से (ग). माननीय सदस्य प्रश्नमानतः दामापुर छावनी क्षेत्र के 47 व्यक्तियों द्वारा 4 मई 1976 को भेजे गये अध्यावेदन का उत्तर देकर रहे हैं। अध्यावेदन में आरोप है कि छावनी का कार्यरत अधिकारी 20 सूत्री आर्थिक कार्यक्रम का पालन नहीं कर रहा है, छावनी क्षेत्र का निरीक्षण नहीं करता, मड़कों की मरम्मत के लिए धन का बेहमाने से विनिर्वाहन किया जा रहा है और पेड़ों का नीलाम नहीं किया। और इसका स्टैंड के आवंटन के लिए इसकी नीलामी के बजाए टेंडर मांगे। इन आरोपों को सरकार द्वारा जांच-पड़ताल की गई है और उन्हें निराधार पाया गया।

बंगलादेश-पश्चिम बंगाल सीमा पर मारे गये डाकू

152. श्री भागीरथ मंडल : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) बंगलादेश तथा पश्चिम बंगाल की सीमा पर जून, 1976 में मारे गये डाकूओं की कुल संख्या कितनी है और ये डाकू कहाँ-कहाँ के रहने वाले थे ; और

(ख) वे डाकू वन से कबेटी करते आ रहे थे ?

मह. मंत्रालय में उपस्थित (श्री एच० एच० मंडोकर) : (क) उपलब्ध सूचना के अनुसार जून, 1976 में बंगलादेश-पश्चिम बंगाल सीमा पर 7 डाकू मारे गये थे। उनमें से 2 कूच बिहार और मुजिबाबाद जिला के थे और शेष 5 सीमा पार के थे।

(ख) हमें इस बात की कोई सूचना नहीं है कि ये आतं डाकू कब से सक्रियता डाल रहे थे।

मध्य प्रदेश तथा राजस्थान में लोगों तक आकाशवाणी के प्रसारण पहुंचाना

153. डा० लक्ष्मी नारायण पांडेय : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) आकाशवाणी के प्रसारण इस समय राजस्थान तथा मध्य प्रदेश के कितने प्रतिशत लोगों तक पहुंच रहे हैं ;

(ख) पांचवीं योजना के अन्त तक और कितने प्रतिशत लोगों तक वे प्रसारण पहुंचने लगेंगे ; और

(ग) इस सम्बन्ध में क्या कार्यवाही करने अथवा कोनसी योजनाएँ शुरू करने का विचार है ?

सूचना और प्रसारण मंत्रालय में उपस्थित (श्री बसंतरी सिंह) : (क) आकाशवाणी के ट्रांसमिटर्स द्वारा इस समय मध्य प्रदेश में 74 प्रतिशत जनसंख्या को और राजस्थान में 73.5 प्रतिशत जनसंख्या को ग्राइमरी ग्रेड मीडियम वेव सेवा प्रदान की जा रही है।

(ख) पांचवीं योजना के अन्त तक मध्य प्रदेश में 13 प्रतिशत और राजस्थान में

4.5 प्रतिशत प्रतिरिक्त जनसंख्या को सेवा प्रदान किए जाने की उम्मीद है।

(ग) निम्नलिखित योजनाएं कार्यान्वित हो रही हैं :—

1. मध्य प्रदेश :

(1) 20 किलोवाट मीडियम वेव ट्रांसमिटर, जगदलपुर।

(2) 20 किलोवाट मीडियम वेव ट्रांसमिटर, धम्बिकापुर।

(3) 20 किलोवाट मीडियम वेव ट्रांसमिटर, रीवा।

2. राजस्थान :

20 किलोवाट मीडियम वेव ट्रांसमिटर, सूस्तगढ़।

#### Maharashtra-Karnataka Boundary Dispute

154. PROF. MADHU DANDAVATE:  
SHRI ANANTRAO PATIL:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the attention of Government has been drawn to the newspaper reports suggesting that the Union Government have finalised a formula for the settlement of the long-pending Maharashtra-Karnataka boundary dispute; and

(b) if so, what are the salient features of the formula?

THE MINISTER OF HOME AFFAIRS (SHRI K. BRAHMANANDA REDDY): (a) and (b). As stated earlier in this House, while the efforts to evolve a satisfactory solution of this dispute are proceeding, it would not be appropriate to go into details.



### Administrative Set up in Gujarat

155. SHRI P. M. MEHTA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a major administration overhaul was initiated in Gujarat during the month of June, 1976;

(b) if so, the main features and outcome thereof, and

(c) what other steps are being taken by the Union Government to run the administration on proper lines?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) and (b) With the imposition of the President's rule in Gujarat, various steps were taken by the State Govt. to tune up the administration in the State at all levels. The State Administration was geared up to the implementation of the 20-Point Economic Programme and its proper monitoring.

In June, 1976, certain further measures were taken by the State Government in the interest of good administration which necessitated transfer of senior officers for their better deployment.

Some of these steps are—

- (i) Greater attention to urban development and health and family planning matters in context of the national priorities. Panchayat and Health Department in the Secretariat was split into two separate Departments, viz., (a) Health and Family Planning Department and (b) Panchayat and Housing and Urban Development Department;
- (ii) Activising Cooperative movement in the context of 20-Point Economic Programme;
- (iii) Campaign for clearance of areas was launched from 1st July in order to clear cases

pending over three months old and reducing total number of pending cases by 25 per cent; The campaign will last till 15th August.

- (iv) Task Forces have been constituted department-wise in the Secretariat to identify and report on the powers to be delegated and to identify areas of public contact;
- (v) Task Forces have also been constituted to review returns and forms and for suggesting elimination of unnecessary forms;
- (vi) Improvement in efficiency by simplifying procedures, training of staff etc.; and
- (vii) Measures initiated for discipline and punctual attendance as also for weeding out corrupt and inefficient officials on their attaining the age of 50/55 have been intensified.

(c) Central Government is maintaining close touch with the State Government for ensuring efficiency and smooth working of the State Administration.

### स्कूटरों की उत्पादन लागत

156. श्री हुकम चन्द कछवाय : क्या उद्योग मंत्री स्कूटरों की चोरबाजारी के बारे में 28 जनवरी, 1976 के प्रतारंकित प्रश्न संख्या 1344 के उत्तर के संबंध में कह बताने की कृपा करेंगे कि सरकारी तथा वैर सरकारी क्षेत्रों में घसत-घसत स्कूटरों की मार्किट-वार उत्पादन लागत इस समय कितनी है ?

उद्योग मंत्री (श्री पी. ए. वाई.) : विभिन्न प्रकार के स्कूटरों जिनका वाणिज्यिक उत्पादन हो रहा है, के कारखानों से निकलते

समय के स्वीकृत खुदरा बिजली मूल्य नोचे दिए जाते हैं :—

माइल का नाम	डीलर के कमिशन सहित कारखाने से निकलते समय के खुदरा बिजली मूल्य	रुपये
1. बजाज 150		3133.52
2. ए० पी० आई०		
(i) लम्बेटा		3740 00
(ii) एम० ए० सी०		3909.00
3. राजदूत		3256 42
4. विजय डीलक्स		3710.00

उपरोक्त मेक के स्कूटरों में से केवल एक मेक अर्थात् "विजय डीलक्स" का उत्पादन सरकारी क्षेत्र में किया जाता है।

#### Substitution of Wood by Coal or Lignite for Production of Energy

157. DR K. L. RAO: Will the Minister of ENERGY be pleased to state:

(a) what percentage of the total energy is generated under the various heads of fuels, in particular the energy due to burning of wood; and

(b) in view of the extreme wastage involved in obtaining energy from wood, what steps are proposed to be taken to substitute wood with coal or lignite, besides experimenting with solar energy?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) The proportions of energy derived from various primary sources last year

(1975-76) were approximately as follows in coal replacement measure:—

Coal	21.0%
Oil	30.5%
Hydro & Nuclear Electricity	8.0%
Firewood	26.5%
Cowdung	6.0%
Vegetable waste	8.0%

(b) The energy policy of the country does not envisage complete substitution of firewood by other forms of energy immediately. However, it envisages providing soft coke and briquettes to the domestic sector. Two low temperature carbonisation plants are being established to produce smokeless solid domestic fuels. The application of solar energy for cooking, specifically in rural areas, would depend on development of lowcost collectors/concentrators designed for medium temperature. These are at present in the research and developmental stage. The use of biogas would also help to meet the energy needs presently provided by wood.

#### Censor of Sex Violence and Crime Ridden Films

158. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether inspite of direction of the Ministry the Censor Board has passed some Hindi Films full of violence, criminal activities and sex during the emergency; and

(b) if so, whether Government propose to appoint any committee to make proper enquiry into the released films which are against the Government's recent censor-policy as well as against the interest of the public?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b). The Central Board of Film Censors carry out

ensorship of films in exercise of powers vested in them under the Cinematograph Act, 1952. They observe the general statutory directives issued by the Central Government on the subject to the best of their judgment. These decisions are quasi-judicial and the question of any violation of directions of the Ministry of Information and Broadcasting or of any enquiry into the decisions taken by the Board does not arise.

#### Rural Electrification Scheme in M.P.

159. SHRI G. C. DIXIT: Will the Minister of ENERGY be pleased to state:

(a) the names of the schemes sanctioned by the Rural Electrification Corporation for Madhya Pradesh for the years 1975-76 and 1976-77 and the expenditure involved on each of them;

(b) the time schedule in each case; and

(c) the number of villages likely to be electrified under them?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) During the years 1975-76 and 1976-77 (upto 31-7-1976) the Corporation has sanctioned 52 rural electrification schemes of Madhya Pradesh involving a total cost of Rs. 1,965.747 lakhs for a loan assistance of Rs. 1,832.059 lakhs. The names, the cost and the loan amount sanctioned in respect of each of these schemes are shown in the statement laid on the Table of the House. [Placed in Library. See No. LT-11006/76].

(b) The schemes sanctioned by the Corporation are phased for completion over a period ranging upto 5 years. The phased period of completion of each scheme is given in the statement, referred to in reply to part (a).

(c) These schemes on completion envisage electrification of 2,090 villages.

#### Sanction of D.A. to Sainik Schools Employees

160. SHRI VAYALAR RAVI: Will the Minister of DEFENCE be pleased to state whether eight increases in the variable D.A. have been sanctioned to the Sainik Schools Employees?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): Since expenditure of Sainik Schools is basically met from the scholarship amounts sanctioned by the State Governments and in respect of children of JCOs and ORs by the Central Government, it has not hitherto been possible to make payment of 8 increases in the variable D.A., pending increase in the scholarship rates.

A case has been floated for increasing the rate of scholarship from Rs. 2,400 per annum per boy to Rs. 4,000 and this is being put up before the forthcoming meeting of the Board of Governors.

Pending a decision thereon, instructions have been issued to the Schools for arranging payment of 8 increases in the variable D.A. subject to the following conditions:—

- (i) DAs will be paid to the employees after getting explicit approval of the Local Board of Administration and concurrence of the State Government concerned.
- (ii) Reserve Fund of the School will not be utilised for the payment of these 8 (eight) instalments of D.A.
- (iii) The School may, however, utilise the current net revenue income from ancillary

activities and interest on reserves fund to meet this liability.

Whenever and wherever Schools find themselves unable to grant the additional DAs out of the sources indicated, they have been asked to approach the State Government concerned for ad hoc grants until the scholarship amount is suitably raised, apprising the local Boards of Administration and the State Governments of the financial position of the School and per capita expenditure in excess of the rate of scholarship sanctioned.

Payment of these additional DAs will attract the provisions of the Compulsory Deposit Scheme.

#### **Production of gadget to detect drunkenness**

161. SHRI MOHINDER SINGH GILL: Will the Minister of INDUSTRY be pleased to state.

(a) whether a gadget to detect drunkenness among drivers has been developed; and

(b) if so, whether commercial production of the device has been taken in hand since certain States like Punjab are keen to use the same immediately on large scale?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) Yes, Sir. The Central Scientific Instruments Organisation, Chandigarh, has developed the Prototype of a device to detect drunkenness among drivers.

(b) Presently the Central Scientific Instruments Organisation is engaged in the field and laboratory trials of the prototype. Once this equipment is proved to the satisfaction of the users, it will be ready for commercial exploitation.

#### **Grant of pension to freedom fighters**

162. SHRI R. K. SINHA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether in view of the high cost of living now and keeping in view the fact that Government have also raised the limit of non-taxable income, Government propose to increase the limit of income of Rs. 500/- per month to Rs. 750/- a month or Rs. 8000/- a year for grant of pension to freedom fighters; and

(b) if so, the particulars thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Government do not propose to raise the existing limit of annual income which is Rs. 5000/- per year.

(b) Does not arise.

#### **Horse racing in Tamil Nadu**

163. SHRI MURASOLI MARAN: Will the Minister of HOME AFFAIRS be pleased to refer to the reply given to the Unstarred Question No. 3306 on the 5th May, 1976 regarding horse racing in Tamil Nadu and state:

(a) whether there has since been a change in Government's policy towards Tamil Nadu horse racing; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) and (b). So far there has been no change in the policy.

#### **Facilities to Adivasi handloom weavers in Maharashtra**

164. SHRI RAM HEDAOO: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Adivasi weavers viz. "Halba-Koshti" working on hand-

looms in Maharashtra were being given the facilities as admissible to Adivasis;

(b) if so, the basis on which these facilities were being given;

(c) if not, the reasons for withholding these facilities; and

(d) the immediate steps being taken by Central Government to check the injustice being done to the Adivasi weavers and to students studying in schools and colleges by stopping their stipends as a result of which their studies have come to a standstill?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN). (a) to (d). The Halba or Halbi tribe has been specified as a Scheduled Tribe in (1) Melghat tahsil of Amravati district, (2) Gadchiroli and Sironcha tahsils of the Chanda district, (3) Kelapur, Wani and Yeotmal tahsils of the Yeotmal district of Maharashtra State. All members of the Halba or Halbi community living in these areas, whatever their profession, are entitled to the benefits available to the Scheduled Tribes.

Some weavers or Koshtis have been receiving benefits as Scheduled Tribes by calling themselves Halba Koshtis, giving the impression that they are Halbas. The Maharashtra Government also seem to have been allowing benefits as Scheduled Tribes to all Halba Koshtis throughout Vidarbha. The Maharashtra Government have been told that benefits should be allowed only to the Scheduled Tribes, that is, to the Halbas or Halbis residing in the specified areas.

#### Electrification of villages in Bihar

165. SHRI NAWAL KISHORE SINHA: Will the Minister of ENERGY be pleased to state:

(a) the number of villages where electricity has been provided in the State of Bihar through loans advanced by the REC, district-wise; and

(b) the target for the Fifth Five Year Plan, district-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) According to the progress report on schemes furnished by the Bihar State Electricity Board, as on 31st March, 1976, electricity was provided in 1,554 villages in Bihar through loans advanced by the Rural Electrification Corporation.

District-wise details are given in the statement enclosed.

(b) The size and content of the Fifth Plan have not yet been determined. However, in the Draft Fifth Plan, it is proposed to electrify 1,542 villages in Bihar under the Normal Development Programme of the State, 7,500 villages under the Minimum Needs Programme and additional 4,500 villages under the Normal Programme financed by Rural Electrification Corporation.

District-wise targets have not been fixed.

#### Statement

District-wise position of villages electrified in Bihar as on 31-3-1976 through Loans advanced by Rural Electrification Corporation.

Sl. No.	Name of district	No. of villages electrified
1	Gopalganj	36
2	Champaran-East	13

Sl. No.	Name of district	No. of villages created
3.	Champaner-West	37
4.	Adolfapur	61
5.	Sitamarhi	23
6.	Darbhanga	72
7.	Madhubani	20
8.	Saharsa	75
9.	Purnea	64
10.	Monghyr	155
11.	Begusarai	57
12.	Bhagalpur	20
13.	Patna	139
14.	Nalanda	99
15.	Gaya	116
16.	Nawadah	119
17.	Rohtas	121
18.	Bhojpur	42
19.	Santhal Parganas	30
20.	Hazaribagh	18
21.	Ranchi	123
22.	Singhbhum	40
23.	Palamau	54
TOTAL		1554

**Statutory provision for cut in prices of essential commodities**

166. SHRI P. GANGADEB: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Government are contemplating an all-India Statutory provision to bring down a twenty-five per cent cut in retail prices of all the essential commodities in the country; and

(b) steps taken to ensure better price conditions in favour of the consumers?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) and (b). Government are not contemplating any statutory provision for a flat rate reduction of 25 per cent in retail prices. However, since the middle of 1974, several monetary, fiscal and administrative measures have been taken to ensure better price conditions in favour of the consumers. These measures have been extended and intensified since the proclamation of the emergency in June, 1975. The public distribution system for the supply of rice, wheat and sugar through fair price shops has been extended and streamlined. The number of fair price shops has increased from 2.17 lakhs at the end of 1974 to 2.42 lakhs in May, 1976. For distribution of kerosene the retail outlets have been increased from one lakh at the end of 1974 to 2.29 lakhs. The number of retail outlets for distribution of controlled cloth has been increased to 47,000 as against 29,000 before July, 1975. Consumer cooperative retail outlets, both in the urban and rural areas, have been substantially increased during the past one year to ensure fair prices to the consumers. On account of the negotiations conducted by the Ministry of Civil Supplies and Cooperation, the prices of common brands of tea, baby food, matches, soaps, detergents and selected common brands of footwear have been reduced by the manufacturers. Soon after the proclamation of the emergency, State Governments issued orders making it compulsory for traders to display stocks and prices of essential commodities. The Packaged Commodities (Regulation) Order, 1975, which became effective from October 2, 1975, makes it obligatory on the manufacturers/packers to mention price, among other things, on each package.

Deterioration of Collieries belonging to B.C.C.L. due to mis-management

167. SARDAR SWARAN SINGH SOKHI: Will the Minister of ENERGY be pleased to state:

(a) whether the collieries belonging to BCCL, the area No. 1, coal mines are deteriorating due to mis-management and negligence;

(b) if so, steps taken in this regard;

(c) whether some of its seams containing high grade coking coal have been closed on 17th May, 1976; and

(d) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) No, Sir.

(b) Does not arise.

(c) No, Sir.

(d) Does not arise.

#### Pilot Industrial Plants in Burma

168. SHRI M. RAM GOPAL REDDY: Will the Minister of INDUSTRY be pleased to state:

(a) whether our country has agreed to build 16 pilot industrial plants in Burma; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) Yes, Sir.

(b) The Government of India has agreed to set up 16 pilot plants as per Statement attached. The pilot plants are being set up under the Indian Technical and Economic Co-operation Programme. The Govern-

ment of India will provide the equipment and machinery required for the projects and make Indian experts available for their commissioning. The Government of Burma will provide the necessary infrastructure and also the necessary counterpart experts to work in these plants.

#### Statement

1. Infrastructural facilities for workshop.
2. Bentonite.
3. Miltone.
4. Orange Juice.
5. Sodium Alginate.
6. Straw Board/Filter Paper.
7. Hard Board.
8. Bench Scale Paper Mills.
9. Distillation Column.
10. Manganese Dioxide.
11. Electric-Chemical Metallurgy.
12. Calcium Carbide.
13. Glue and Galatine.
14. Mentha Cultivation.
15. Potassium Schoenite.
16. Gamma Irradiator.

#### ब.स.सू.स. कावं ६५ की क्रिया-निर्वात

169. श्री संकर ब्याल सिंह : क्या योजना मंत्री यह बनाने की कृपा करेंगे कि :

(क) 20-पृष्ठी प्र.वि.क. कावंक्रम की क्रिया-निर्वात में प्रत्येक राज्य ने क्या प्रगति की है ; और

(ख) क्या कुछ राज्यों में इस बारे में संनोपजनक प्रगति नहीं हुई है ?

योजना मंत्रालय में राज्य मंत्री (श्री संकर ब्याल) : (क) एक विवरण मंत्रालय पर प्रस्तुत है [प्र.स.स.स. में रखा गया] देखिये संख्या एल टी 11007/76]

(ख) जी, नहीं ।

### Misuse of Funds by State Electricity Boards

170. SHRI B. V. NAIK: Will the Minister of ENERGY be pleased to state:

(a) whether funds earmarked for electrification and placed at the disposal of State Electricity Boards by the Rural Electrification Corporation have been misapplied by the State Electricity Boards;

(b) if so, the names of those State Electricity Boards; and

(c) steps the Rural Electrification Corporation propose to take in this behalf?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) to (c). The schemes sanctioned by the Rural Electrification Corporation Ltd. are phased for completion over a period ranging upto 5 years. The loans sanctioned by the Corporation are disbursed in instalments according to the phasing of the implementations of the schemes. Loan instalments are always disbursed in advance; the first instalment is disbursed on execution of necessary loan documents and the second and subsequent instalments on the State Electricity Boards achieving the prescribed level of performance in utilisation of the funds already released and in achieving the physical targets.

In some States utilisation of funds as reported by the Boards has not been satisfactory. In such cases the matter is taken up by the Corporation with the concerned Boards to improve the position. Even then, if the position as regards utilisation of funds does not improve, further sanction of new schemes is held over till such time as improvement is effected. This had to be done temporarily at one stage for West Bengal, Punjab, Karnataka and Bihar.

### World Demand for Indian Electrical Cables

171. SHRI D. K. PANDA: Will the Minister of INDUSTRY be pleased to state:

(a) whether there is a huge demand in world over for electrical cables produced in India;

(b) if so, the facts thereof; and

(c) whether Indian manufacturers cannot tap this export potential; and if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). There is considerable demand for electrical cables in overseas countries particularly in Oil Rich countries like Nigeria, Libya, Dubai etc. and also in countries like Thailand, Singapore, Philippines, Malaysia, Bangladesh, etc. who have received substantial credit from Asian Development Bank for expansion of their Electrical Distribution System. Substantial demand has also been found in USSR.

(c) Indian exporters have been tapping this export potential and have been able to increase their exports during last three years from Rs. 11.54 crores in 1973-74 to Rs. 17.25 crores in 1974-75 and Rs. 22.43 crores in 1975-76. An export target of Rs. 25 crores for 1976-77 and Rs. 30 crores for 1978-79 has been fixed. Government has sanctioned import replenishment licence and cash compensatory support to various categories of Electric wires and cables with a view to making Indian offers competitive in international markets.

### Resumption of Nuclear aid from Canada

172. SHRI R. N. BARMAN: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether the negotiations with the Canadian Government for resump-



tion of nuclear aid have reached a point of settlement;

(b) if so, the broad details of the agreement reached; and

(c) the present extent of our dependence for this material on foreign countries and how it is proposed to be reduced?

**THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI):** (a) No, Sir.

(b) Does not arise.

(c) India is not depending to any substantial extent on foreign countries for the import of equipment for the execution of nuclear power projects. All items of equipment of a sensitive nature required for the power projects are either already manufactured or are in the process of being manufactured within the country.

#### Exploitation of Geo-thermal Energy

**173. SHRIMATI ROZA DESHPANDE:**

**SHRI INDRAJIT GUPTA:**

Will the Minister of ENERGY be pleased to state:

(a) whether Government have made geological investigation to assess the geo-thermal energy in Maharashtra, Karnataka, Meghalaya, Manipur and some other States;

(b) if so, the findings thereof; and

(c) how long it will take the Government to utilise this new energy?

**THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD):** (a) and

(b). Investigation to establish the geo-thermal potential are at present in progress in the Parbati Valley in Himachal Pradesh, along the West

Coast in Maharashtra and in the Puga Valley in Jammu and Kashmir. A shallow geo-thermal reservoir has been identified in the Puga Valley and further investigations are in progress to prove the reserves. The investigations in the Parbati Valley and along the West Coast are in the initial stages.

(c) Utilisation of geo-thermal energy for power generation and other purposes would depend on the results of the various investigations and studies in progress.

#### Publication of memoirs by Ex-Envoys and High Officials

**174. SHRI YAMUNA PRASAD MANDAL:** Will the PRIME MINISTER be pleased to state:

(a) whether Government have been urged to prohibit the publication of memoirs by Ex-envoys and other high officials of the Government; and

(b) if so, the decision of Government thereon?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** (a) No, Sir.

(b) Does not arise.

#### Attack on Agricultural Workers in Village Khedoi, Anjar Taluka, District Kutch

**175. SHRI DINESH JOARDER:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the attention of Government has been drawn to the attack on the Agricultural workers and bonded labourers of village Khedoi of Anjar Taluka of Kutch District in Gujarat by the landlords and their goondas;

(b) if so, the facts thereof; and

(c) the action taken to bring the culprits to book and protect the interests of the agricultural workers?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) to (c): The information is being collected and will be laid on the Table of the House on receipt.

**Power Plant at Lakwa in District Sibsagar, Assam**

176. SHRI BISWANARAYAN SHASTRI: Will the Minister of ENERGY be pleased to state:

(a) whether there is a proposal for setting up a power plant at Lakwa in the District of Sibsagar, Assam which will be fed by the natural gas, so far flared up;

(b) if so, the broad outline thereof; and

(c) whether there are other projects for generating power in Assam before 1980 when power may not be available from the Basapani project in Meghalaya?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) and (b). There is a proposal under examination for setting up of a Gas turbine generating station at Lakwa in the Sibsagar district in Assam. The proposed project envisages the installation of 3x15 MW gas turbine generating sets utilizing gas from the neighbouring ONGC oil-fields.

(c) A Thermal power project is under construction at Bongaigaon (2x60 MW), in Assam and is expected to be commissioned during 1979-80.

**Growth of New Industries in Backward Districts in Karnataka**

177. SHRI K. LAKKAPPA: Will the Minister of INDUSTRY be pleased to state;

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(a) the steps taken to accelerate the growth of new industries in backward districts in Karnataka State; and

(b) the names of such districts benefited?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) The steps taken by the Ministry of Industry to accelerate the growth of new industries in backward districts all over India including those in Karnataka State are the following:

(i) 15 per cent Central Outright Grant or Subsidy.

(ii) Concessional finance from all India Term Lending Institutions.

(iii) Certain Income tax concessions.

(b) The following industrially backward districts qualify for concessional finance:—

Balgaon, Bidar, Bijapur, Dharwar, Gulbarga, Hasan, Mysore North Kanara, Raichur, South Kanara and Tumkar. Out of these Raichur, Dharwar and Mysore qualify for Central Outright Grant/Subsidy.

**Development of Entrepreneurship**

178. SHRI RAJDEO SINGH: Will the Minister of INDUSTRY be pleased to state:

(a) whether employment in the small scale sector was 21 persons for every one lakh rupees of investment—four times the corresponding employment in the large scale sector for the same investment;

(b) whether it has been decided that sixty per cent of Fifth Plan outlay for industrial development would be spent to assisting the small sector;

(c) whether the development of entrepreneurship would be taken up as a special programme in 12 selected districts of the country; and

(d) if so, the facts thereof?

THE MINISTER OF INDUSTRY  
(SHRI T. A. PAI): (a) Yes, Sir.

(b) About 80 per cent of the outlay for Central and Centrally-sponsored schemes in the draft 5th Plan has been provided for schemes for the development of industries in backward areas, relating to Backward Area Development Programme, Rural Industries Projects, Rural Artisans Programme, Appropriate Technology and Branch Small Industries Service Institutes.

(c) and (d). With the assistance of an Expert from the International Labour Organisation, preliminary studies have been completed for development of entrepreneurship and small scale industries in 12 districts of Uttar Pradesh, Bihar and Madhya Pradesh. Further in-depth studies are being taken up through the State Governments for assessing the resources and demand in these districts for development of entrepreneurship and small scale industries in the rural areas of these districts.

Replacement of Bureau of Industrial Costs and Prices by a Commission

179. SHRI BHALJIBHAI PARMAR: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to replace the Bureau of Industrial Costs and Prices, with an Industrial Prices Commission on the lines of Agricultural Prices Commission; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN  
THE MINISTRY OF INDUSTRY  
(SHRI B. P. MAURYA):

(a) No Sir.

(b) Does not arise.

Functioning of various Institutions  
propagating Gandhian Philosophy  
and Programmes

180. SHRI RAGHUNANDAN LAL  
BHATIA: Will the Minister of  
HOME AFFAIRS be pleased to state:

(a) whether some Members of Parliament have demanded an inquiry into the functioning and affairs of a number of institutions started to propagate Gandhian philosophy and programmes;

(b) if so, whether Government have enquired into complaints of mis-utilisation of funds and receipt of money from foreign sources by these institutions; and

(c) if so, facts thereof?

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS,  
DEPARTMENT OF PERSONNEL  
AND ADMINISTRATIVE REFORMS  
AND DEPARTMENT OF PARLIAM-  
ENTARY AFFAIRS (SHRI OM  
MEHTA): (a) Yes, Sir.

(b) and (c). Enquiries are in progress.

Super Thermal Station in Eastern  
Region

181. SHRI ARJUN SETHI: Will  
the Minister of ENERGY be pleased to  
state:

(a) whether site selection for  
Super Thermal Station in the eastern  
region have been made; and

(b) if so, the facts thereof and re-  
action of Government thereto?

THE DEPUTY MINISTER IN THE  
MINISTRY OF ENERGY (PROF.  
SIDDHESHWAR PRASAD): (a) and  
(b). Yes, Sir. It is proposed to estab-  
lish a super thermal station, in the  
Central Sector, at Farakka.

**Seizure of Dynamite Sticks in Bombay**

**182. SHRI ANANTRAO PATIL:**  
Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether several people found in possession of Baroda-type dynamite sticks were arrested in Bombay; and

(b) the outcome of the investigation made in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) and (b). While investigating a case of explosion at Railway bridge near Kings Circle Railway Station on 26-6-76, Bombay Detention Crime Branch has arrested nine persons. Explosive materials including dynamite sticks have been recovered. The investigation has been taken by Bombay Police.

**Technical Investigation of Major Fires and Cases Involving explosives and other dangerous goods**

**183. SHRI SHASHI BHUSHAN:**  
Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of technical investigations of all major fires and cases involving explosives and other dangerous goods conducted by the technical officers during the last one year; and

(b) the number of cases handled, examined and expert reports submitted on home-made live bombs, incendiaries and other dangerous articles used in connection with unlawful activities?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) and (b). The Chief Controller of Explosives have, during 1975-76 enquired into 54 cases of explosions and examined 276 bombs and other dangerous articles involved in unlawful activities.

**Rise in Prices of Essential Commodities**

**184. SHRI INDRAJIT GUPTA**  
**SHRI K. LAKKAPPA**  
**SHRIMATI SAVITRI SHYAM:**

Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether there has recently been a disturbing upward trend in prices of essential commodities of mass consumption like edible oils, sugar, potatoes and cloth;

(b) if so, the reasons for this phenomenon; and

(c) specific steps taken by Government to keep the rising prices under control?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) and (b). In the recent past there has been no uniformity in the behaviour of prices of essential commodities of mass consumption. The prices of several essential commodities such as wheat pulses, kerosene oil, soda ash and soaps have either been stable or have declined. However, the prices of certain other commodities such as edible oil, sugar, potatoes and cloth have shown an upward trend. There is normal tendency for the prices to go up during the lean period every year. This year it was accentuated to some extent on account of delay in the onset of monsoon and deficient rain in the beginning of the rainy season. The cloth prices have gone up because of increase in the prices of raw cotton which is attributed to short-fall in its production.

(c) State Governments have intensified their enforcement machinery to see that speculation and hoarding do not take place. To augment the supplies of groundnut oil for direct consumption it has been made obligatory

sumption it has been made obligatory on vanaspathi manufacturers to use imported oils to the extent of 80 per cent in the manufacture of vanaspathi. The import of edible oils has been stepped up. The export of HPS groundnuts has been banned. An additional quota of 20 thousand tonnes of non-levy sugar has been released for August, 1976. The export of potatoes has been banned. Raw cotton is being imported to supplement the domestic stock.

#### Constraint on Private Industry

185 SHRI TRIDIB CHAUDHURI: Will the Minister of INDUSTRY be pleased to state:

(a) whether the attention of the Government has been drawn to the Press statement made by the President of the Federation of Indian Chambers of Commerce and Industry in Madras on July 18, 1976 to the effect that private sector industry was unable to take full advantage of the present good climate for economic growth, because it was unable to mobilise normal equity capital;

(b) the reactions of Government to this statement; and

(c) whether any dialogue has taken place between the FICCI and the Government about the nature of constraints felt by industry in regard to the full utilisation of its installed capacity and expansion?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) Yes, Sir.

(b) The following information relating to the capital raised by the non-Government companies during the fiscal year 1975-76 indicates that there was an increase of Rs. 3967.91 lakhs over the year:

Year	(Rupees in lakhs)
1974-75	13873.80
1975-76	17841.41

Further the All India Index of Security Prices (1976-71=100) which had touched a low ebb in May, 1976 registered an improvement in June, 1976 thereby indicating that market expectations are improving subsequent upon the improvement in the State of country's economy. Subsequent stock markets reports also indicate further improvement in share prices.

(c) No specific dialogue has taken place between the FICCI and the Government about the constraints felt by industry. However, various aspects of industry, including the constraints, are discussed with Government at various forums like Central Advisory Council for Industries, Development Councils, Panels etc.

#### Production of Consumer Goods

186 SHRI M. KATHAMUTHU: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state

(a) whether the production of some consumer goods has fallen considerably during the year 1976;

(b) if so the facts thereof,

(c) whether the manufacturers of these consumer goods have cut the production wilfully to create artificial scarcity, thus to keep the prices at higher levels, and

(d) if so, action taken against them?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) to (d) A statement indicating the production of various consumer goods industries during the first six months of the year 1976 as compared to corresponding period in the previous year is laid on the Table of the House [Placed in Library See No. LT-11008/76].

It is only in the case of 19 items out of a total of 37 that there has been a fall in production. There are no indications that the manufacturers of these consumer goods have cut the

production wilfully to create artificial scarcity. Hence the question of taking any action against them does not arise.

**Central Agency for Industrial Raw Material**

187. SHRI VARKEY GEORGE: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to set up a Central Agency to operate a buffer stock of Industrial raw material; and

(b) if so, the outlines of the proposal?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b) While Government intends to hold sufficient stocks of important industrial raw materials in order to ensure adequate availability at reasonable prices there is no propose to set up a new single agency to operate a buffer stock of such materials

**समाचार पत्रों को विज्ञापन देने का आधार**

189. श्री मूलचन्द डाया : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकारी विज्ञापन देने के क्या आधार हैं तथा दैनिक पत्रों में सरकारी विज्ञापन देने के क्या आधार हैं ;

(ख) दिल्ली में कितने हिन्दी दैनिक प्रकाशित होते हैं तथा सरकार ने गत तीन वर्षों में उन्हें उन विज्ञापनों के लिए महीनेवार तथा वार्षिक अनुदान-अलग कितनी राशि भरा दी है ; और

(ग) क्या कुछ ऐसे दैनिक समाचारपत्र हैं जिन्हें सरकार कोई विज्ञापन नहीं देती और यदि हाँ, तो उनके नाम क्या हैं?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री: बसन्त सिंह): (क) सरकारी विज्ञापनों के लिए समाचार-पत्रों और नियत-कारित पत्रों का चयन करने में सामान्यतया निम्नलिखित बातें ध्यान में रखी जाती हैं :-

(1) पत्रकारिता संबंधी आचरण संहिता के स्वीकृत स्तरों का पालन ;

(2) प्रकाशन में नियमितता ;

(3) प्रकाशन की श्रेणी अर्थात् छोटा, मझोला या बड़ा तथा उसके प्रकाशन स्थान और प्रसार संख्या का भी ध्यान रखा जाता है ।

(ख)

वर्ष	प्रकाशित होने वाले हिन्दी दैनिकों की संख्या	भुगतान की गई वार्षिक राशि
1973	9	7,69,153
1974	7	7,89,962
1975	9	11,24,400

रिकार्ड महीने-वार नहीं रखा जाता ।

(ग) सरकारी विज्ञापनों के लिए दिन दैनिक समाचार-पत्रों का उपयोग नहीं किया जाता उनका कोई रिकार्ड नहीं रखा जाता ।

**Agreement with M.N.F. Leader**

190. SHRI K. MALLANNA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the underground Mizo National Front Leader Mr. Laldenga

has decided to adjure violence and acknowledged that Mizoram is an integral part of India;

(b) whether and document has been signed in this regard within the framework of the Constitution of India; and

(c) if so, the broad outlines thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOSIN):** (a) and (b). Yes, Sir.

(c) The MNF delegation in a signed document, have acknowledged that Mizoram is an integral part of India and conveyed to the Government of India their resolve to accept a settlement of all problems in Mizoram within the framework of the Constitution of India.

In order to bring about a climate of understanding and an atmosphere of peace and tranquillity in Mizoram at the earliest, the delegation agreed to adjure violence and suspend all activities. In furtherance of the above objectives, the underground delegation agreed to collect all underground personnel with their arms and ammunition inside mutually agreed camps, within one month, after their establishment and also agreed to hand over arms and ammunition to the Government of India.

The Government of Mizoram on their part have suspended operations for an initial period of three months with effect from 6th July, 1976. Such suspension, however, would not apply to operation against U.G. personnel attempting to cross international border and to the maintenance of law and order.

It was agreed to continue the talks further.

#### **Diversification of Production in Steel Pipe and Tubes Industry**

**192. SHRI R. S. PANDEY:** Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have permitted the steel pipe and tubes industry to diversify production; and

(b) if so, the reasons therefor?

**THE MINISTER OF INDUSTRY (SHRI T. A. PAI):** (a) Yes, Sir.

(b) This has been done in accordance with the Government policy to permit flexibility to entrepreneurs to optimise the utilisation of their installed capacity.

#### **Shoes and Chappals**

**193. SHRI RAM PRAKASH:** Will the Minister of INDUSTRY be pleased to state:

(a) whether there is a proposal under consideration of Government to market 'Nagrik' Shoes and Chappals shortly; and

(b) if so, the salient features thereof and the date by which these items will come into the market?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) The Delhi State Industrial Development Corporation have submitted a scheme for manufacturing and marketing of mass consumption articles under the trade name 'Nagrik'. Leather shoes and chappals are included in the list of articles.

(b) The Corporation has been requested to furnish a detailed proposal indicating the financial implications viz. investment and phasing of expenditure how the funds are proposed to be raised, profitability, staff required etc., and these details are awaited.

#### **Instructions to States on use of MISA and DIR**

**194. SHRI MATI SAVITRI SHYAM:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether instructions have been sent recently to States on the use of



the powers under MISA and DIR to bring down the prices of various commodities; and

(b) if so, the facts thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** (a) Yes.

(b) In the light of the reports of increase in prices of certain essential commodities like edible oils, raw cotton during June-July 1976, mainly due to malpractices by traders, the State Governments and Union Territory Administrations have been advised, inter-alia, to keep a strict watch on the price line and to take stringent action including use of MISA and DISIR against hoarders, blackmarket-eers and speculators.

**Arrest made under MISA, DIR and Essential Commodities Act**

**195. SHRI AMRSINH CHAUDHARI:** Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the prices of some commodities have gone up considerably in the recent months due to the hoarding and smuggling of the same by some unscrupulous persons and businessmen in various parts of the country;

(b) the action taken against those unscrupulous, anti-social and such other persons and businessmen who do not cope up with the present situation and emergency of the country; and

(c) the number of such persons and businessmen who have been arrested in the various parts of the country under MISA, DIR and under the Essential Commodities Act?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL**

**AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** (a) and (b). According to available information an increase in the prices of some essential commodities was noticed in the first half of July 1976. Instructions were issued to the State Governments and Union Territory Administrations to be vigilant and to take stringent action against hoarders, etc. including the use of MISA and DISIR wherever necessary. The State Governments and Union Territory Administrations have taken steps to curb the activities of anti-social elements and businessmen indulging in unscrupulous practices like hoarding and black-marketing.

(c) The number of persons detained/arrested under the MISA/DISIR and the Essential Commodities Act is being ascertained.

**Reimbursement of Central Subsidy given to Backward Districts in Kerala**

**196. SHRI C. H. MOHAMED KOYA:** Will the Minister of INDUSTRY be pleased to state:

(a) whether the Government of Kerala have requested the Central Government for reimbursement of subsidy given to the industrial units in backward districts of Kerala under the scheme for Central subsidy to Industrial Units in selected backward districts;

(b) if so, the total amount disbursed by the State Government since 1973, and the amount so far-reimbursed to the State Government; and

(c) the balance amount to be reimbursed to the State Government and, whether there is any delay in making the payments?

**THE MINISTER OF INDUSTRY (SHRI T. A. PAI):** (a) Yes, Sir.

(b) the total amount disbursed by the State Government is Rs. 90.30 lakhs. The amount so far reimbursed



to the State Government by the Central Government is Rs. 62.47 lakhs

(c) The balance amount of claim under consideration to be reimbursed to the State Government is Rs. 27.83 lakhs. There is no delay in making the payment.

आकाशवाणी के स्टाफ आर्टिस्टों पर तीसरे  
बेतन आयोग की सिफारिशों को  
लागू करना

197. श्री लालजी भाई : क्या सूचना  
और प्रसारण मंत्री यह बताने की कृपा करेंगे  
कि :

(क) क्या सरकार ने हाल ही में यह  
सूचना दी है कि तृतीय बेतन आयोग की  
सिफारिशें आकाशवाणी के स्टाफ आर्टिस्टों पर  
1971 से लागू की जाएगी, और

(ख) यदि हाँ, तो इससे आकाशवाणी  
के स्टाफ आर्टिस्टों को क्या लाभ पहुँचेगा  
तथा उन्हें बकाया पगार का भुगतान कब तक  
कर दिया जायेगा ?

सूचना और प्रसारण मंत्रालय में उप-  
मंत्री (श्री कबीरजी सिंह) : (क) और (ख).  
तीसरे बेतन आयोग की सिफारिशों के अनुरूप  
आकाशवाणी के ध्वनि प्रसारण से संबंधित  
स्टाफ आर्टिस्टों के संबंधित मुक्त मामलों की  
सूचना 18 जून, 1976 को की जा चुकी है।  
वे 1 जनवरी, 1973 से प्रभावी होते हैं।  
जहाँ तक वे आदेश 'पत्रकारिता वर्ग' से  
संबंध रखते हैं इनका कार्यान्वयन फिलहाल  
टोक लिया गया है। उक्त सूचना से स्टाफ  
आर्टिस्टों की जो लाभ मिलने से 18 जून,  
1976 के आदेश में दिए गए हैं जिसकी एक  
प्रति सूचना की नोट पर रख दी गई है।  
[सम्मान्य मंत्री की कृपया देखिए संख्या एन०  
डी० 11000/76] स्टाफ आर्टिस्टों को मुक्त  
की बकाया पगार का भुगतान करने की  
कार्रवाई लागू है।

### Residential Accommodation to Officers of Defence Undertakings

198. SHRI NAWAL KISHORE  
SINHA: Will the Minister of DEFEN-  
CE be pleased to state:

(a) whether any housing facility is  
provided for junior officials of Defence  
Undertakings; and

(b) if so, the facts thereof?

THE MINISTER OF STATE (DE-  
FENCE PRODUCTION) IN THE  
MINISTRY OF DEFENCE (SHRI  
VITHAL GADGIL) : (a) and (b) Ju-  
nior officials of some of the Defence  
Undertakings are provided with hous-  
ing facilities. The extent to which the  
housing is provided varies from one  
Undertaking to another.

### Fifth Plan targets for Kerala

199 SHRI C K CHANDRAPPAN:  
Will the Minister of PLANNING  
be pleased to state

(a) whether Government have taken  
a final decision regarding Fifth Plan  
targets for Kerala,

(b) what is Government of Kerala's  
target for Fifth Plan in relation to  
the revised plan allocation of the  
current Budget; and

(c) the reaction of Government  
thereto?

THE MINISTER OF STATE IN  
THE MINISTRY OF PLANNING  
(SHRI SANKAR GHOSE) : (a) to (c)  
In connection with the finalisation of  
the Fifth Five Year Plan, Planning  
Commission has recently concluded  
discussions with all the States and  
Union Territories including Kerala. In  
the light of these discussions, Planning  
Commission has yet to take a final  
view regarding the size and content  
of the Fifth Five Year Plan of  
States/Union Territories including that  
of Kerala.

**Kerala Bills pending with Centre**

200. SHRI C. K. CHANDRAPPAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many Bills of the Government of Kerala are pending with the Central Government;

(b) what is Government's reaction on it; and

(c) how long Government will take to convey its final decisions in regard to those Bills?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F H MOHSIN): (a) Three Bills.

(b) and (c). These Bills are being examined in consultation with the concerned Ministries/Department of the Government of India and the decision of the Government of India will be conveyed to the State Government, as early as possible.

**Organisation to meet the financial requirements of language newspapers**

201. SHRI VASANT SATHE: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the All India Language Newspapers Organisation has suggested for the setting up of a separate organisation to meet the financial requirements of small and medium language newspapers in the country;

(b) if so, the nature of the proposal;

(c) the reaction of Government thereto; and

(d) the steps taken or proposed to be taken to meet the financial and other requirements of small and medium language newspapers?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b). At the 35th Annual General Meeting of the Indian Languages Newspapers Association held at Bombay on 15 July, 1976, it was mentioned in the speech of the President of the meeting that Government should consider promoting a Newspaper Finance Corporation.

(c) and (d). Government have already decided to give special treatment to small and medium papers in respect of all facilities including advertisements. As regards finance for production of the papers, printing presses are generally entitled to institutional finance as an industry. Government do not at present have a proposal to set up a public sector Corporation to provide capital to newspapers of any category.

**Cantonment Boards Rules**

202. SHRI RAMAVATAR SHASTRI: Will the Minister of DEFENCE be pleased to state:

(a) whether a change in the existing rules of Cantonment Boards is under the consideration of Government; and

(b) if so, the main points of the proposed changes?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) and (b). It is presumed that the hon'ble Member is referring to amendments to the Cantonments Act, 1924. The position was indicated in the statement laid on the Table of the House in reply to Unstarred Question No. 2584 answered on 28th November 1974. Since then the inter departmental consultations have been completed and the recommendations recast. These are expected to be finalised shortly.

गुट-निरपेक्ष समाचार एजेंसी पूल

203. श्री भविरथ शंकर : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या अन्तर्राष्ट्रीय स्तर पर एक गुट-निरपेक्ष समाचार एजेंसी पूल स्थापित किया गया है अथवा करने का विचार है ,

(ख) यदि हा, तो उसके उद्देश्यों तथा कार्य-प्रणाली संबंधी मुख्य रूप-रेखा क्या है ,

(ग) उन देशों के नाम क्या हैं जिनकी इसमें शामिल होने की संभावना है और

(घ) क्या निकट भविष्य में इस संबंध में कोई बैठक होने वाली है और यदि हा, तो वह कहाँ पर तथा किस तारीख को होगी ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री धर्मवीर सिंह) : (क) नई दिल्ली में 8 जुलाई से 13 जुलाई 1976 तक हुये गुट निरपेक्ष देशों के महा स्तरीय सम्मेलन द्वारा गुट निरपेक्ष देशों का प्रेम एजेंसी संगम गठित किया गया ।

(ख) संगम के उद्देश्य और धारों के साथ साथ ये हैं —

(1) गुट निरपेक्ष देशों के बीच सूचना के आपसी आदान-प्रदान में सुधार करना और उसका बिम्बार करना तथा आपसी सहयोग की और सुदृढ़ करना ; और

(2) गुट निरपेक्ष देशों तथा सामान्य-तथा अन्तर्राष्ट्रीय समुदाय के बीच गुट निरपेक्ष देशों, उनके आपसी सहयोग और सामान्य हित के अन्य विषयों के बारे में सही व्यापक सूचना के प्रसार की सुविधाजनक योजना ।

संगम का उद्देश्य गुट निरपेक्ष देशों के बीच समाचारों के आदान-प्रदान को पहले से ही जो व्यवस्था है उसका विकास बनना या एक अन्तर्राष्ट्रीय समाचार एजेंसी बनना नहीं है ।

बोटे तीर पर भाग लेने वाली प्रत्येक समाचार एजेंसी को संगम के छात्रों के अन्तर्गत समाचार भेजने और उन्हें वितरित करने का अधिकार है और वह एक या अधिक दिनरण एजेंसियों को प्रतिदिन उतने शब्द भेज सकेगी जितने के बारे में उनमें सहमति हुई हो । सभी वितरक समाचार एजेंसियाँ अपने दैनिक संश्लेषणों या समाचार श्रेणियों में आपस में स्वीकृत समय अवधि अन्य सहयोगी एजेंसियों से प्राप्त समाचारों के दिनरण को देंगी । प्रत्येक समाचार एजेंसी प्रकाशनों के द्वारा और रेडियो और दूरदर्शन केन्द्रों की सेवाओं का उपयोग करके संगम द्वारा भेजे गये समाचारों और सूचना के उपयोग की सम्भावनाओं को बढ़ाने का पूरा प्रयास करेगी । हम संगम को जीव अपना खर्चा स्वयं उठाने के सिद्धान्त पर रखी गई है ।

(ग) उम्पेड हैं संगम में शामिल होने वाले देशों के नामों को जानकारी संगम को समन्वय समिति, जिसे सम्मेलन द्वारा नियुक्त किया गया था, के द्वारा दी जाएगी ।

(घ) समन्वय समिति की बैठक निकट भविष्य में होने की सम्भावना है, किन्तु इसके स्थान और समय का अभी पता नहीं है ।

समाचारपत्रों द्वारा स्वायत्तता तथा आचार बहिष्कार का वास्तव

204. डा० लक्ष्मी नारायण चौधरी : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मनीषा और स्वयंसेवा तथा स्वनिर्मित कोष-बहिष्कार का वास्तव

करके अपना उत्तरदायित्व निभा रहे हैं ; और

(ख) क्या सरकार अपने द्वारा जारी किये गये निर्देशों तथा उनके पालन की प्रक्रिया पर दृष्टि रखती है ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री बरबरी सिंह) : (क) कुल मिलाकर समाचार पत्र स्वतंत्रता का पालन कर रहे हैं ।

(ख) सरकार इस रूप में कोई निर्देश जारी नहीं करती । तथापि, सरकार यह नियंत्राणी रखती है कि कानून भंग न हो ।

#### औद्योगिक उत्पादन

205. डा० लक्ष्मी नारायण पांडेय : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) वर्ष 1975 की अन्तिम तिमाही की तुलना में वर्ष 1976 की प्रथम तिमाही में औद्योगिक उत्पादन में कितने प्रतिशत की वृद्धि हुई है ; और

(ख) औद्योगिक उत्पादों की किन्-किन मुख्य मशीनों के उत्पादन में यह वृद्धि हुई ?

उद्योग मंत्रालय में राज्य मंत्री (श्री बी० पी० मौर्य) : (क) केन्द्रीय सांख्यिकीय संयुक्तन द्वारा संकलित औद्योगिक उत्पादन के सामान्य सूचकांक के अनुसार 1976 की पहली तिमाही की अवधि में 1975 की अन्तिम तिमाही की अपेक्षा 8.1 प्रतिशत वृद्धि हुई थी ।

(ख) सप्तम्बर-नवम्बर, 1975 की तुलना में जनवरी-मार्च, 1976 के दौरान औद्योगिक उत्पादन का वर्षवार सूचकांक बताने काका एक विवरण सभा पटल पर

रख दिया गया है । [संमेलन में रखा गया है; देखिये संख्या एल० टी० 11010/76] ।

नेपा मिल्स में अनियमितताओं और धन का दुरुपयोग

206. डा० लक्ष्मी नारायण पांडेय : क्या उद्योग मंत्री नेपा मिल्स में अनियमितताओं तथा धन के दुरुपयोग के बारे में 17 मार्च, 1976 के अंतरांगिक प्रश्न संख्या 717 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि जिकायत पर की गई जाच के परिणाम क्या हैं ?

उद्योग मंत्रालय में राज्य मंत्री (श्री बी० पी० मौर्य) : नेपा मिल्स में कथित अनियमितताओं तथा धन के बारे में जाच की गई थी लेकिन विज्ञापन में लगाये गये आरोप सिद्ध नहीं हो सके थे ।

#### Survey of Engineering Industry

207. SHI S. R. DAMANI: Will the Minister of INDUSTRY be pleased to state:

(a) whether any survey has been conducted with regard to the engineering industry in the country to assess the existing capacity, its utilization, rational use of manpower etc;

(b) if so, the major group-wise findings thereof; and

(c) the steps taken to streamline the working of the industry for producing quality goods at competitive prices to increase our exports?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). A survey of 667 units in the Engineering Industry was conducted by the National Industrial Development

Corporation Ltd. with the following objectives:

(i) to assess the actual installed capacities in different industries, taking the installed plant and equipment and actual performance of the plants into account; and

(ii) to assess the extent to which the capacities in individual undertakings can be increased by addition of balancing equipment and the magnitude of additional investment that would be needed for the purpose.

Only unitwise assessment reports were prepared. Major groupwise findings were not within the scope of the assignment given to the corporation

(c) In the context of Government's policy to promote fuller utilisation of capacity, to enhance export development and to aid modernisation and technological upgradation, a Technical Development Cell has been set up in the Ministry of Industry and Civil Supplies. For the furtherance of these efforts, Government has drawn up a special scheme for quick implementation of the modernisation programmes. A Technical Development Fund has been created for this purpose.

The Fund will be utilisable by select IDA Industries namely, Commercial Vehicles, tractors, forgings, foundries Textile machinery and Machine Tools. Other industries would be considered where special needs are projected to enable an enterprise to compete for export orders.

Preference under the scheme will be given to proposals aimed at quickly improving, is an integrated manner:

(a) Export capability and export volume.

(b) Cost reduction.

(c) Capacity utilisation.

(d) Technology upgradation.

(e) Product-mix rationalisation

(f) Modernisation and rationalisation.

**Selection of Gazetted Posts Reserved for Scheduled Castes & Scheduled Tribes by Union Public Service Commission**

208 SHRI JHARKHANDE RAI: Will the PRIME MINISTER be pleased to state:

(a) the number of candidates selected so far by the UPSC for the gazetted posts reserved for Scheduled Castes and Scheduled Tribes during the last two years;

(b) whether any instances have come to the notice of Government regarding delay in filling up the reserved vacancies in any department or Central Service, and

(c) if so, the steps taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA) (a) The Union Public Service Commission make recruitment to Group 'A' posts (all of them Gazetted) and Group 'B' Posts (most of them gazetted, but some of them non-gazetted) During the years 1974-75 and 1975-76, the Commission have recommended a total of 1319 candidates belonging to the Scheduled Castes and Scheduled Tribes.

(b) No, Sir.

(c) Does not arise.

**Assistance to Small and Cottage Industries in Gujarat**

209. SHRI P. M. MEHTA: Will the Minister of INDUSTRY be pleased to state:

(a) whether the Gujarat Government has not given much help to small

and cottage industries run by the backward classes and tribes; if so, the reasons therefor;

(b) whether Union Government have asked them to make provisions during the current year for more help to these small units in the State;

(c) if so, the nature of assistance to be offered; and

(d) the areas and districts covered during the current year?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) to (d). Significant help was given to tribal areas for development of small and cottage industries but a comprehensive plan for accelerated development of tribal areas has been taken up recently. A Tribal Area Sub Plan has been prepared for which a provision of Rs. 18-25 crores has been made in the annual Plan of 1976-77 covering 32 talukas of the seven districts of Bharuch, Panchmahals, Surat, Valsad, Vadodra, Sabarkantha and Dangs where the tribal population is 72.30 per cent of the total tribal population of the State. Various incentives are provided for setting up industries in tribal areas. Special training classes has been started at Baroda, Rajpipla and Ahmedabad to train adivasis in cottage industries 60 trainees would be imparted training at Himatnagar Training Centre for various trades. To promote industrialisation emphasis has been laid in providing power to the tribal areas. In the first phase of the electrification programme 11 talukas will be covered and the remaining 18 will be covered in the second phase.

### कुछ फिल्मों के प्रदर्शन पर प्रतिबन्ध

210. श्री तुलक जय कछवाह : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(क) क्या सरकार ने कुछ फिल्मों के प्रदर्शन पर प्रतिबन्ध लगाया है ; यदि हा, तो

उन फिल्मों में कौन-कौन से आपत्तिजनक बातें हैं ;

(ख) सेंसर बोर्ड ने इन फिल्मों को कब पास किया था तथा क्या कुछ फिल्मों को प्रलोभाति में रोक करने के बाद उनके प्रदर्शन की अनुमति दी गई थी ; और

(ग) क्या फिल्मों में काम करने वाले अभिनेताओं के फिल्मों गाने विविध भारतीय तथा आकाशवाणी के अन्य कार्यक्रमों में सुनाना बन्द कर दिया गया है ? यदि हा, तो उनके मुख्य कारण क्या हैं ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री बर्मबीर सिंह): (क) और (ख). सरकार ने आठ प्रमाणित फिल्मों "काम शास्त्र" (हिन्दी), "गुप्त शास्त्र" (हिन्दी), "स्त्री पुरुष" (हिन्दी), "गुप्त ज्ञान" (हिन्दी), "पाबू रहुस्यम्" (तमिल), "भर्मकल" (तमिल), "गुप्त ज्ञानम्" (तेलुगु) और "दाम्पत्य रहुस्यम्" (मलयालम) का मार्ग-जनिक प्रदर्शन रोक दिया है। ऐसा सम्झा गया था कि इन फिल्मों में अत्यधिक अश्लीलता और अश्रुता है। सरकार अब इनका पुनरीक्षण कर रही है। 1976 के दौरान फिल्म सेंसर बोर्ड में अब तक 16 भारतीय फीचर फिल्मों और 25 आयातित फीचर फिल्मों को उनमें अत्यधिक हिंसा, सैक्स, अश्लीलता, अनैतिकता या महिलाओं के अपमान जनक दृश्य होने के कारण प्रमाण-पत्र देने से इनकार किया है।

(ग) सरकार ने प्ले-बैक शिबर द्वारा गाये गये "दस नम्बरी" नामक फिल्म के "कहत कबीर सुनो भई साधो, बात कहूँ मे खरी; यह दुनिया इक नम्बरी तो मैं दस नम्बरी....." नामक गाने को आकाशवाणी से प्रसारित न करने का निर्णय लिया है, क्योंकि यह पाया गया कि ऐसे नाम को जिसका देश के बहुत से व्यक्ति आदर करते हैं, फिल्मों गीत से जोड़ने से उनकी भावनाओं को ठेस पहुंच रही थी।

**Causes of Frequent Break Down in Thermal Power Stations**

211. DR. K. L. RAO: Will the Minister of ENERGY be pleased to state:

(a) the main factors causing frequent break-downs in Thermal power stations;

(b) whether in view of the high ash content in Indian Coal used in thermal stations any special steps have been taken such as installing washeries; and

(c) if not, the reasons for not setting up the necessary accessories?

**THE MINISTER OF ENERGY (SHRI K. C. PANT)** (a) The main factors causing system breakdowns in the thermal stations are fatigue failure of the materials operating under high temperature conditions, erosion of the metallic surfaces, lack of preventive maintenance due to shortage in system capacity and operation under low frequency conditions

(b) and (c) Several steps have been initiated for improving the quality of coal supply to power stations such as (i) rationalisation of linkages of coal, (ii) stricter implementation of quality control measures including separation of shale and stone from coal, joint sampling, screening and sizing arrangements. With the steps already initiated there has been considerable improvement in the quality of coal supplied to power stations and now techno-economic studies are under way in some specific locations to study the economies of washability of coal.

**Decontrol of Scooter and Moped Tyres and Tubes**

212. SHRI D. B. CHANDRA GOWDA:  
SHRI K. LAKKAPPA.

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to decontrol the scooter moped and other

auto-tyres and tubes, which are not available in the open market except at a premium of 50 to 100 per cent over and above the listed prices, especially in the northern region; and

(b) if so, the measures being proposed to ensure supply of these tyres and tubes at fair prices?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) There is no statutory control on the prices of automobile tyres and tubes including tyres for scooters and mopeds. These tyres and tubes are freely available in the market.

(b) Does not arise.

**मध्य प्रदेश में बिजली की कमी**

213 श्री प्रफुल्लनंद शीखर : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में कितने तथा किस-किस जिले में गत तीन वर्षों के दौरान बिजली की कमी बनी रही ,

(ख) इसके बराबर कारण हैं , और

(ग) इन स्थिति को सुधारने के लिये सरकार ने क्या कार्यवाही की है ?

ऊर्जा मंत्रालय में उपमन्त्री (श्री० सिद्धेश्वर शर्मा) : (क) से (ग). मध्य प्रदेश राज्य बिजली बोर्ड ने बताया है कि राज्य के सभी जिलों में केवल दिसम्बर, 1974 से मार्च, 1975 तक व्यवस्थिकालीन भार क्षमता की दृष्टि से बिजली की कमी थी। अप्रैल, 1975 और जून, 1975 के बीच तथा उसके बाद नवम्बर, 1975 के बाद मांग की अपेक्षा कम ऊर्जा उपलब्ध थी। व्यवस्थिकालीन भार क्षमता की कमी और ऊर्जा की उपलब्धता की कमी के कारण हैं, इसी और औद्योगिक बोनों ही क्षेत्रों में बिजली की आपत में वृद्धि होना।

राज्य में कई नई उत्पादन परियोजनाओं पर काम चल रहा है और उपलब्ध संयंत्रों

से अधिकतम उत्पादन प्राप्त करने, मध्य प्रदेश प्रणाली के चार बलों को एक समान रखने और पड़ोसी प्रणालियों से सहायता प्राप्त करने के लिये भी प्रयत्न किये जा रहे हैं।

**मध्य प्रदेश के पिछड़े जिलों का विकास**

214. श्री गंगाधरब दीक्षित : क्या योजना मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या वैज्ञानिक तथा औद्योगिक अनुसन्धान परिषद् ने विकास के लिए मध्य प्रदेश के कुछ पिछड़े जिलों को चुना है; और

(ख) यदि हां, तो तत्सम्बन्धी मुख्य बातें क्या हैं ?

योजना मंत्रालय में राज्य मंत्री (श्री जंगम खोब): (क) वैज्ञानिक एवं औद्योगिक अनुसन्धान परिषद् (सी० एस० आई० आर०) और मध्य प्रदेश सरकार के मध्य मामले पर अभी बात चल रही है।

(ख) प्रश्न ही नहीं उठता।

**Merger of ISRO in Department of Space**

215. SHRI VAYALAR RAVI: Will the Minister of SPACE be pleased to state:

(a) whether the merger of the Indian Space Research Organisation in Department of Space has adversely affected the Civil Engineering Division of the Department of Space; and

(b) if so, the steps being taken to redress the grievances of the CED employees?

**THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF**

**ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI):** (a) No, Sir.

(b) Does not arise.

**Security measures in Mizoram**

216. SHRI MOHINDER SINGH GILL: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether after the hostiles have reached an accord with the Centre, security operations in the Mizoram area have not remained so tight as to restore normalcy in the region;

(b) whether taking advantage of this, Nagas are still crossing the international border to get training and ammunition from outside; and

(c) if so, the steps being taken to see that there is no relaxation in the security measures till complete normalcy returns in the area?

**THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN):** (a) The suspension of operations by the Security Forces ordered by the Government, in pursuance of the understanding reached with the MNF delegation, does not apply to the operations against those attempting to cross the international border and also to the maintenance of normal law and order.

(b) and (c). Presumably, the Hon'ble Member is referring to the Mizo National Front underground in Mizoram. In Mizoram and even in Nagaland the suspension of operations does not apply to the operations against those attempting to cross the international border and also to the maintenance of normal law and order. Continued vigilance is being maintained along our international border with Burma to prevent any clandestine movement by the underground.



**Defect in transmitter of A.I.R.,  
Calcutta.**

217. SHRI SAROJ MUKHERJEE:  
Will the Minister of INFORMATION  
AND BROADCASTING be pleased to  
state:

(a) whether the All India Radio Station in Calcutta often goes out of action for a few minutes due to a long standing defect in the transmitting apparatus; if so, the steps proposed to be taken to instal an up-to-date, modern and perfect apparatus.

(b) whether the A.I.R., Calcutta Station broadcasting is very weak and the Calcutta "A" service is always overtoned by other stations of neighbouring countries; and

(c) if so, the steps Government propose to take to strengthen and improve the technical aspect of broadcasting in Calcutta Station service?

THE DEPUTY MINISTER IN THE  
MINISTRY OF INFORMATION AND  
BROADCASTING (SHRI DHARAM  
BIR SINHA): (a) No, Sir. There is  
no defect in the transmitting apparatus of the Calcutta All India Radio Station.

(b) No, Sir. Programmes of Calcutta "A" service are radiated on a high power transmitter and the reception of this transmitter is reported satisfactory in the primary service area which covers substantial portion of the State.

(c) Does not arise.

**मिजो बिद्रोहियों द्वारा आत्मसमर्पण**

218. श्री जगदीश्वर शंकर : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या मिजो बिद्रोहियों ने बिना शर्त आत्मसमर्पण कर दिया है ;

(ख) उन बिद्रोहियों ने आत्मसमर्पण करने के बाद कितने तथा किस प्रकार के हथियारों को सौंपा है ;

(ग) बिद्रोहियों ने इन हथियारों को किन स्रोतों से प्राप्त किया था तथा ये किस देश के बने हुये हैं ; और

(घ) क्या इन हथियारों पर पाकिस्तान, चीन तथा अमरीका के नाम अंकित हैं ?

गृह मंत्रालय में उद्यमशी (श्री एच० एच० मोहम्मद) : (क) भूमिगत मिजो नेशनल फ्रंट पार्टी के एक प्रतिनिधि मण्डल की केन्द्रीय गृह सचिव के साथ अनेक बार बात-चीत हुई । 1 जुलाई, 1976 को एक समझौता हुआ । हस्ताक्षर किये गये दस्तावेज के अनुसरण में :

- (1) मिजो नेशनल फ्रंट प्रतिनिधि मण्डल ने यह स्वीकार किया कि मिजोरम भारत का एक अभिन्न भाग है और भारत के संविधान के उपबन्धों के अधीन मिजोरम की सभी समस्याओं के हल को स्वीकार के अपने संकल्प की सूचना भारत सरकार को दी ।
- (2) प्रतिनिधि मण्डल मिजोरम में शीघ्र उद्भाव और शान्ति का वातावरण उत्पन्न करने के लिए हिंसा त्यागने और सभी गति-विधियों को स्थगित करने के लिए सहमत हुआ ।
- (3) उपर्युक्त उद्देश्यों के बढ़ावे के लिए भूमिगत प्रतिनिधि मण्डल सभी भूमिगत लोगों को उनके हथियारों तथा गोला बारूक के साथ उनकी स्थापना के बाद एक महीने के भीतर पारस्परिक सम्मत शिबिरों में एकत्रित करने के लिए सहमत हुआ और हथियारों व गोला बारूक को भारत

सरकार को सीने के लिये भी राजी हुआ।

- (4) मिशोराम सरकार ने पहले 6 जुलाई, 1976 से तीन महीने की अवधि के लिये सुरक्षा बलों की कार्यवाही को स्वगित करने का भी निर्णय किया परन्तु ऐसा स्वयं अन्तर्राष्ट्रीय सीमा पार करने का प्रयास करने वाले भूमिगत लोगों के विरुद्ध कार्यवाही करने और विधि व व्यवस्था बनाये रखने पर लागू नहीं होगा।

- (5) यह सहमति हुई कि बातचीत आगे जारी रखी जाये।

(ख) से (घ) जैसा ऊपर बताया गया है, बातचीत जारी रखी जायेगी, जहाँ सम्झौते के कार्यान्वयन की क्रान्तिकारी को अन्तिम रूप दिये जाने की आशा है।

उज्जैन के हिन्दी दैनिक "भावन्तिका" को दिये गये अखबारों कागज के कोटे के बारे में जांच

219. श्री गुरुप चन्द कश्यप : क्या सूचना और प्रसारण मंत्री उज्जैन के हिन्दी दैनिक "भावन्तिका" को दिये गये अखबारों कागज के कोटे के बारे में जांच के सम्बन्ध में 14 अप्रैल, 1976 के अतारांकित प्रश्न संख्या 2396 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) उज्जैन, मध्य प्रदेश से प्रकाशित हिन्दी दैनिक "भावन्तिका" के विरुद्ध लगाए गये आरोपों के बारे में केन्द्रीय जांच ब्यूरो द्वारा जायात तथा निर्यात मुख्य नियंत्रक को दी गई रिपोर्ट पर क्या निर्णय किया गया है;

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(ख) क्या इस समाचार-पत्र के विरुद्ध लगाये गये आरोप सही पाये गये हैं; और

(ग) यदि हाँ, तो समाचार-पत्र के मालिकों के विरुद्ध अब तक क्या कार्यवाही की गई है ?

सूचना और प्रसारण मन्त्रालय में उप-मंत्री (श्री बरबीर सिंह) : (क) से (ग) ध्यान और निर्यात के मुख्य नियंत्रक ने अन्वीक्ष जांच ब्यूरो की रिपोर्ट की जांच की। पत्र ने जो आरोप किया था उसको उन्होंने तकनीकी प्रकार का माना। अतः जायात और निर्यात के मुख्य नियंत्रक ने जो सक्षम प्राधिकारी है, चेतावनी दे कर मामले को समाप्त कर दिया है।

**Licence to Dunlop India Limited for a new tyre unit**

220. SHRI VAYALAR RAVI: Will the Minister of INDUSTRY be pleased to state:

(a) whether Dunlop India Limited has been given licence for a new automobile tyre unit; and

(b) if so, the reasons therefor?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) No, Sir.

(b) Does not arise.

**Relay station of AIR in Faizabad, U.P.**

221. SHRI R. K. SINHA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether there is a proposal to have a relay station of A.I.R. in Faizabad in Uttar Pradesh for Awadhi language; and

(b) if so, when?

**THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA):** (a) No, Sir. This area is within the primary service range of Lucknow Radio Station, which broadcasts programmes in Awadhi daily for a duration of 25 minutes. The Allahabad Station also broadcasts programmes in Awadhi for about 20 minutes a day.

(b) Does not arise.

**Distortion of facts in "Freedom at Midnight"**

**222. SHRI R. K. SINHA:** Will the Minister of HOME AFFAIRS be pleased to state whether in view of major distortion of facts in the book entitled "Freedom at Midnight", Government propose to contradict the distortion of facts therein?

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** Government are aware of the distortion of some facts contained in the book entitled "Freedom at Midnight", but do not consider it necessary to issue an official contradiction in the matter.

**Deaths due to Liquor Poisoning in Madras**

**223. SHRI M. KALYANASUNDRAM.**

SHRI M. S. PURTY:  
SHRI HARI SINGH:  
SHRI P. GANGA REDDY:  
SHRI N. E. HORO:  
SHRI A. K. GOPALAN:  
SHRI M. KATHAMUTHU:  
SHRI RAM PRAKASH:  
SHRI M. RAM GOPAL REDDY.

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether more than 100 people died and many more were taken seriously ill and admitted in the hospital in Madras after drinking liquor

recently;

(b) if so, the facts thereof; and

(c) whether any enquiry has been made into the matter, if so, the outcome thereof?

**THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN):** (a) and (b). In July, 1976, 297 persons were admitted in the hospitals after consumption of illicit liquor containing Methyl alcohol. Out of them 113 died.

(c) The police have taken up investigation and have so far arrested 11 persons.

**Supply of uranium fuel for Tarapur Atomic Power Station by U.S.A**

**224. SHRI Y. ESWARA REDDY**  
SHRI JAGANNATH  
MISHRA  
SARDAR SWARAN SINGH  
SOKHI:  
DR. SARADISH ROY:  
SHRI TRIDIB CHAUDHURY:  
SHRI N. E. HORO  
SHRI ARJUN SETHI  
SHRI K. MALLAYNA:  
SHRI BIRENDER SINGH  
RAO  
SHRI VEKARIA  
SHRI ARVIND M. PATEL

Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether there was an abnormal delay from the side of United States of America in supply of Uranium fuel for Tarapur Atomic Power Station;

(b) if so, to what extent this delay has affected the performance of the atomic power station; and

(c) what action has since been taken by Government in this regard and with what results?

**THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF**

**SPACE (SHRIMATI INDIRA GANDHI):** (a) to (c). Our application for a licence for export of enriched uranium has been delayed as a result of petitions filed with the Nuclear Regulatory Commission which is the statutory licensing body independent of the US Government's Executive Branch. The Government of India are in constant touch with the US authorities and India's views are being presented before the Nuclear Regulatory Commission by the US State Department. As a result of these efforts approximately half the quantity of enriched uranium for which license has been applied for was cleared for export and the same has already been received in India on July 23, 1976. There is, consequently, no immediate difficulty in this regard.

**Food Products of Hindustan Lever Limited**

**225. SHRI SOMNATH CHATTERJEE:** Will the Minister of INDUSTRY be pleased to state;

(a) the main food products of Hindustan Lever Limited;

(b) licenced capacity, installed capacity and actual production of each main food item by the units of Hindustan Lever Limited as in 1960, 1970 and 1975;

(c) whether it has been alleged that the Company has been producing certain food items beyond capacity; if so, the facts thereof; and

(d) whether, in respect of production of certain food items, the Company holds a monopoly position and if so, the facts thereof

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) and (b). A statement is attached.

(c) The production of these items by the Company has been within the permissible limits.

(d) No, Sir.

**Statement**

(In M. Tn.)

Main food items manufactured by M/s Hindustan Lever Limited	Licensed capacity	Production		
		1960	1970	1975
Infant Food . . . . .	1000*	nil	841	815
Skim Milk Powder . . . . .	2621	nil	587	286
Whole Milk Powder . . . . .	100*	nil	nil	nil
Malted Milk Food . . . . .	445*	nil	447	nil

\*Within the total licenced capacity of Skim Milk Powder.

**NOTE:** M/s. Hindustan Lever Ltd were originally issued an industrial licence in 1960 for the manufacture of skim milk powder for an annual capacity of 2580 tonnes and their amended capacity at present stands at 2621 M. Tonnes. In 1965 they were permitted to manufacture 1000 tonnes Infant food within the licenced capacity of skim milk powder. Again in 1971 they were allowed to manufacture 100 tonnes of whole milk powder and 445 M. Tonnes of Malt Milk food within the overall licenced capacity of 2621 M. Tonnes of skim milk powder.

**Colgate Palmolive Company**

**228. SHRI SOMNATH CHATTERJEE:** Will the Minister of INDUSTRY be pleased to state:

(a) total production of tooth-paste, tooth powder and tooth brush, in the organised sector as in 1960, 1970 and 1975;

(b) share of Colgate Palmolive Company, a branch of the US Multi-national Corporation in this total;

(c) whether it has been alleged that Colgate Palmolive Company has been producing cosmetics far in excess of capacity without any sanction from Government, if so, the facts thereof,

(d) total paid up capital of Colgate Palmolive Company as per its latest balance sheet, and

(e) total profits earned by the Company, year-wise, during the last three years?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) and (b). A statement is attached.

(c) No such allegation has been received in recent past in regard to Cosmetics. However the production of tooth paste is reported to be in excess of the licensed capacity.

(d) The paid capital of the Company as on 31-12-75 was Rs 1,50,000

(e) The profits earned by the Company during the last three years have been as reported by the Company are as under

1973—Rs 14 341,419  
1974—Rs 15 723 538  
1975—Rs 8 326,921

**Statement****PRODUCTION (Tons)**

Item	1965*		1970		1975	
	Total for units registered with DGTD	M/s Colgate Palmolive	Total for units registered with DGTD	M/s Colgate Palmolive	Total for units registered with DGTD	M/s Colgate Palmolive
1. Tooth Paste	3,124	1,537	4,564	2,474	4,139	2 293
2. Tooth Powder	300	220	488	418	931	707
3. Tooth Brush	Not Available					

\*The information for the year 1960 is not available.

**Grant of Pension to Freedom Fighters**

**227. SHRI ARVIND M. PATEL:**

**SHRI VEKARIA:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the total number of applications received from the freedom fighters upto May, 1976, State-wise;

(b) the number of freedom fighters granted pension out of them, State-wise;

(c) the number of applications rejected; and

(d) the reasons for rejection?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) to (c) The information is given in the statement laid on the Table of the House [Placed in Library See No LT-11011/76] 46941 applications have been filed for want of adequate documentary evidence in support of the political suffering claimed and 96 applications were pending scrutiny on 31-5-76.

(d) Application is rejected when the applicant does not satisfy the conditions of eligibility laid down in the Scheme.

**Construction of a Committee for Minorities in Gujarat**

**228. SHRI ARVIND M. PATEL**

**SHRI VEKARIA:**

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether a High Power Committee for minorities has been constituted recently in Gujarat State;

(b) if so, the name of the Chairman of the Committee; and

(c) what are the terms of reference of the Committee?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): (a) to (c). According to information received from the Government of Gujarat, a High Power Committee for the minorities which had been constituted in September, 1974, was reconstituted on the 28th January 1976. Shri Mohamad Husain Golandaj (Ahmedabad) is the Chairman of this Committee. The terms of reference of the Committee are as under:—

(1) To examine the problems of the minorities in Gujarat for whom no other special committees are functioning.

(2) To devise measures for the protection of the rights of minorities and advise the Government on measures for improvement in their Social, educational and economic conditions.

**Rehabilitation of Ex-Servicemen**

**229. SHRI HARI SINGH:** Will the Minister of DEFENCE be pleased to state:

(a) whether in the month of April, 1976 the Defence Minister impressed upon the Chief Ministers to rehabilitate ex-servicemen, their widows and children; and

(b) if so, what was the reaction of the Chief Ministers?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) Yes, Sir.

(b) The Chief Ministers assured that work relating to the rehabilitation of Ex-servicemen, their widows and children will be given all the necessary attention and priority.

**Pending applications for Licences in Gujarat**

230. SHRI D. D. DESAI: Will the Minister of INDUSTRY be pleased to state;

(a) whether any applications for licences for industrial units in Gujarat are pending with Government at present; and

(b) if so, the number and reasons thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). Out of the industrial licence applications for Gujarat received till 31-7-76, 84 applications are pending. Various considerations such as availability of infra-structure, raw materials, know-how, demand, capacity installed etc., are kept in view while taking decisions on industrial licence applications. Every effort is being made to dispose of the pending applications as expeditiously as possible.

**Taking over of Power Generating Plants by Centre**

231. SHRI D. D. DESAI: Will the Minister of ENERGY be pleased to state:

(a) whether a World Bank study of energy problem in India has suggested the take-over by the Centre of all power generating plants, leaving only the distribution to be done by the State Electricity Boards; and

(b) if so, the Government's reaction thereto?

THE MINISTER OF ENERGY (SHRI K. C. PANT): (a) A book on the Energy Sector in India published by the World Bank in 1975 has mentioned *inter-alia* the difficulties in assigning the responsibility for generation and bulk supply of power only to the Centre. It has not been suggested in the book that a policy of Central generation alone should be adopted.

(b) Government see the Central role in the generation of power as supplemental to the efforts of the States.

**Revision of Targets set forth in Draft Fifth Plan**

232. SHRI D. D. DESAI:

SHRI ARJUN SETHI:

SHRI MOHINDER SINGH GILL:

Will the Minister of PLANNING be pleased to state:

(a) whether the Planning Commission has undertaken a revision of the targets set forth in the draft Fifth Plan;

(b) if so, whether new and realistic targets have been set for various items of production; and

(c) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSE): (a) to (c). The work on the finalisation of the Fifth Plan is currently in progress. The production targets are under revision in the light of the production levels achieved and the capacities created during the first two years of the Plan and a realistic assessment of the prospects in the remaining period of the Plan.

**Opening of a Television Station at Hyderabad**

233. SHRI K. SURYANARAYANA: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have decided to open a Television station at Hyderabad during the fifth Plan; and

(b) if so, the target date for the opening of the above station?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) Yes Sir. A TV transmitter is proposed to be located at Hyderabad.

(b) Mid 1977.

#### Abandoned Airstrip at Tadepalligudem Tadepalligudem

234. SHRI K. SURYANARAYANA: Will the Minister of DEFENCE be pleased to state:

(a) whether the Government of Andhra Pradesh has approached the Centre for allotment of land to homeless persons in the abandoned airstrip at Tadepalligudem; and

(b) if so, the decision of Government on the same?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) Yes Sir; a request was received from the State Government for releasing the area, comprising the abandoned airfield at Tadepalligudem, wholly or in part, for allotment to those, who were in unauthorised occupation of it.

(b) The entire Airfield has been offered to the State Government on outright sale basis on payment of the market value of the land. Their reply is awaited.

#### New Power Projects in the Fifth Plan

235. SHRI K. SURYANARAYANA: Will the Minister of ENERGY be pleased to state:

(a) whether a number of new power projects have been approved for being started in the Fifth Plan; and

(b) if so, main features of the schemes in various States?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) Yes, Sir.

(b) The power projects sanctioned for being started in the Fifth Plan are given in the attached Statement.

#### Statement

Sl. No.	Name of the Scheme	Installed capacity (MW)
<b>THERMAL</b>		
1	Gujarat	
	(a) Ukai TPS Extension .	2 × 200
	(b) Wanakbori TPS .	3 × 200
2	Maharashtra	
	(a) Nashik TPS Extension Stage II . . .	1 × 210
	(b) Bhusawal TPS Extension . . .	1 × 210
	(c) Chandrapur TPS Stage I . . .	2 × 210
3	Bihar	
	Patratu TPS Extension Stage IV . . .	2 × 110
4	Assam	
	Bongaigaon TPS . . .	2 × 60
<b>HYDRO</b>		
5	Kerala	
	Idukki Stage III . . .	Augmentation Scheme only
6	Tamil Nadu	
	Upper Thambapirari .	1 × 20
7	Orissa	
	Upper Kolab . . .	3 × 80

#### Introduction of Computers

236. SHRI RAJA KULKARNI: Will the Minister of ELECTRONICS be pleased to state:

(a) the procedure laid down for introduction of Computers in national security systems, and in various scien-



tific, educational research, transport, medical, social, economic and commercial services and organisation as well as in productive activities in the national economy; and

(b) whether India has achieved substantial domestic capability in the manufacture and maintenance of computer hardware and software?

THE PRIME MINISTER MINISTER OF PLANNING MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) The Department of Electronics is responsible for coordinating the requirements of computers and other electronic data processing equipments of all users in the country. The Government has also approved of a procedure for import of computers costing over Rs 5 lakhs, whereby the Department of Electronics is responsible for analysis of the areas of application, drawing up of specifications in co-operation with the user concerned, in the case of computers to be imported for specific applications, obtaining competitive tenders, and for final approval (along with the Ministry of Finance) in respect of the system to be imported. The exact procedure for this approval is set out in Section 9.2 of the Annual Report of the Department of Electronics for the year 1975-76. Import of computers below Rs 5 lakhs in unit value has also to be cleared by the Department on a case by case basis. However, such cases do not have to comply with the step by step procedure set out in Section 9.2 of the Annual Report. In respect of system obtained by Government departments from indigenous sources, also, the Department of Electronics has to approve of the configuration and the procurement. Whilst giving clearances for procurement of computers, whether from indigenous sources or through imports, the Department of Electronics takes into consideration the socio-economic impact of the introduction of computers. The

priority areas for the use of computers have been listed in detail in Section 9.2 of the Annual Report of Department of Electronics (1975-76).

(b) Yes, Sir. Domestic capability in the manufacture of mini-computers and small computer systems and some peripherals has already been achieved. This capability is growing at a significant rate. Capability in the development and in maintenance of computer hardware and software has also been established in different sectors in the country, and such capability is being enhanced through development grants from the Technology Development Council of the Electronics Commission. The setting up of the Computer Maintenance Corporation, a public sector undertaking under the Department of Electronics responsible for maintaining all imported computers will also enhance indigenous capability in hardware maintenance.

#### Indian Scientists Abroad

237. SHRI NITIRAJ SINGH  
CHAUDHARY.

SHRI M. RAM GOPAL REDDY:  
SHRI SAMAR MUKHERJEE:  
SHRI SOMNATH CHAT-  
TERJEE.

Will the Minister of PLANNING be pleased to state:

(a) the reasons why Indian Scientists abroad are not returning to the country; and

(b) the steps taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSE): (a) the precise reasons for their non-return are not known. It is, however, believed that better professional opportunities, higher earning, better standard of living, etc., may be the principal reasons.

(b) The Government of India have been taking various steps from time to time to facilitate the return of Indian Scientists, Engineers, Medical Personnel etc. from abroad. A statement showing the measures taken is enclosed.

#### Statement

(1) A special section—"Indians Abroad" section—of the National Register is maintained for enrolment of Indian Scientists and Technologists abroad and for the circulation of their particulars in the form of classified Directories to all Ministries, Departments of the Government of India, State Governments, Union and State Public Service Commissions, Public Sector Industries and large private sector establishments. Particulars of such personnel are also published in the monthly "Technical Manpower" Bulletin (CSIR) which is distributed free to about 2,500 organisations all over India.

(2) The Union Public Service Commission and some of the State Public Service Commissions have agreed to treat Indian Scientific and Technical Personnel whose particulars are in the Indian Abroad section of the National Register, as 'Personal Contact' candidates for posts advertised by them.

(3) The Scientists Pool, operated by CSIR provides temporary placement for well-qualified Indian Scientific and Technical personnel returning from abroad without an assured job.

(4) Supernumerary posts can be created in approved scientific institutions to which temporary appointments can be made quickly from among the scientists working and studying abroad.

(5) A "Package Scheme" has been approved to attract Indian scientists, technologists and engineers working in production units abroad to come back and start their own industries in this country, particularly in spheres where they may have acquired skills in production technology.

(6) CSIR have introduced a scheme for appointment of 'Research Associate' or 'Visiting Scientists' under which Indian scientists etc. visiting India for a short period can be offered such appointment in CSIR organisations in cases where their background fits the requirement of the organisation.

(7) The University Grants Commission has introduced a scheme under which Indian scholars abroad can be offered short-term appointment in Indian Universities during their sabbatical leave.

(8) With a view to encouraging highly qualified scientists to return to India for permanent settlement, it has been decided that such scientists while returning from abroad will be allowed to import professional scientific instruments and equipment, whether new or used, upto a value not exceeding Rs. 50,000 provided (i) the scientist concerned has been living abroad for two years (ii) the imported equipment will be used by him in India and (iii) the equipment has been purchased out of his own foreign exchange earning abroad.

#### Energy Policy

238. SHRI NITIRAJ SINGH CHAUDHARY: Will the Minister of ENERGY be pleased to state:

(a) whether failure to strike oil in Kutch, Saurashtra and Calcutta offshore structures would affect our energy policy; and

(b) if so, facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) and (b). The present energy policy of the country is based on the proved research of oil and it does not take into account the possibilities of striking oil wherever explorations are under way. The policy would be periodically reviewed, in the light of relevant new circumstances and options as may emerge.

### Reduction in prices of T.V. Parts by Bharat Electronics Limited

239. SHRI P. GANGA REDDY: Will the Minister of ELECTRONICS be pleased to state:

(a) whether Bharat Electronics Limited have decided to effect further cut in the prices of Television parts; and

(b) if so, the extent of its effect on the retail price of Television Sets?

THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) Bharat Electronics Ltd., (BEL) manufacture two types of television components: (i) TV picture tubes; and (ii) semiconductor devices. With regard to TV picture tubes no further reduction has taken place since the announcement made by BEL on March 1, 1976 (when the price was reduced from Rs. 565 to Rs. 465). In the case of semiconductor devices, BEL recently announced an overall prices reduction of 10 per cent for discrete devices only.

(b) Since discrete semiconductor devices constitute a relatively small part, in terms of value, of the total component complement of a television receiver, this price reduction is not likely to have a significant effect on the retail price of television sets.

### Aid for Paper Projects in Assam from Iran

240. SHRI P. GANGA REDDY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Iran has agreed to give aid for paper projects in Assam; and

(b) if so, amount offered and terms and conditions thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). Iran has shown interest in providing assistance for the setting up of the Nowgong and Cachar paper projects in Assam. The matter has not yet progressed to the stage of aid of a specific amount and terms and conditions thereof.

### Rejection of Applications for Letters of Intent in Backward Areas

241. SHRI H. N. MUKERJEE:

SHRI S. M. BANERJEE:

Will the Minister of INDUSTRY be pleased to state:

(a) whether all the applications for letters of intent made for backward areas recently had been rejected by the Licensing Committee;

(b) if so, the reasons therefor;

(c) whether Government have issued new letters of intent for backward areas; and

(d) if so, the number thereof, State-wise?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) No, Sir.

(b) Does not arise.

(c) and (d). A statement showing State-wise break-up of letters of intent and industrial licences issued for backward areas during the year 1975 and January—June 1976 is enclosed.

### Statement

State/Union Territory	1975		1976 (Jan—June)	
	LI	IL	LI	IL
Andhra Pradesh	19	15	6	10
Andaman & Nicobar Islands	1	1	..	..

State/Union Territory	1975		1976 (Jan—June)	
	LI	IL	LI	IL
Assam . . . . .	4	1	4	2
Bihar . . . . .	5	4	1	2
Dadra & Nagar Haveli . . . . .	1	..	..	1
Goa, Daman & Diu . . . . .	6	8	2	6
Gujarat . . . . .	21	17	6	8
Haryana . . . . .	10	6	2	2
Himachal Pradesh . . . . .	3	1	1	..
Jammu & Kashmir . . . . .	6	2	..	2
Karnataka . . . . .	25	16	7	4
Kerala . . . . .	15	9	2	7
Madhya Pradesh . . . . .	28	23	3	3
Maharashtra . . . . .	30	26	6	10
Manipur . . . . .	2	..	..	1
Meghalaya . . . . .	5	2	..	1
Nagaland . . . . .	..	1	..	..
Orissa . . . . .	11	3	1	1
Pondicherry . . . . .	2	2	1	..
Punjab . . . . .	13	4	2	4
Rajasthan . . . . .	14	5	2	3
Tamil Nadu . . . . .	24	40	4	7
Tripura . . . . .	..	..	..	1
Uttar Pradesh . . . . .	25	18	3	6
West Bengal . . . . .	21	12	5	4
TOTAL . . . . .	291	216	58	85

#### Utilization of Capacity in Bharat Heavy Electricals Limited

242. SHRI S. R. DAMANI: Will the Minister of INDUSTRY be pleased to state:

(a) the capacity utilization in Bharat Heavy Electricals Ltd. in 1975-76 and in the first quarter of the current year;

(b) the figures of actual turnover, quantity or value-wise for the above periods;

(c) the capacity utilized separately for meeting internal demand and for exports; and

(d) the latest order book position in respect of both the above demands?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) During 1975-76 the capacity utilization as a whole in Bharat Heavy Electricals Limited's Plants had been around 85 per cent

while during the first quarter of current year capacity utilization was around 82 per cent.

(b) During 1975-76, BHEL completed 3435 MW of thermal end hydrosets. The turnover in value was Rs 414.5 crores

During first quarter of 1976-77 turn over in value was Rs. 75.6 crores

(c) Capacity utilised for exports commitments has been around 3 per cent to 4 per cent of the total capacity. Rest of the capacity utilisation was for internal demand

(d) The outstanding order book position pending manufacture at the end of June 1976 is Rs 865 crores out of which Rs 50 crores is for export

#### Utilization of Capacity in HEC

243 SHRI S R DAMANI Will the Minister of INDUSTRY be pleased to state

(a) the capacity utilization in Heavy Engineering Corporation in 1975-76 and in the first quarter of the current year;

(b) the figures of actual turnover, quantity or value-wise, for the above periods;

(c) the capacity utilized separately for meeting internal demand and for exports, and

(d) the latest order book position both for internal demand and for exports?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI). (a) the utilization of the installed capacity in the three plants of HEC in 1975-76 and in the

first quarter of the current year has been as follows:

	1975-76	April— June 1976
HMBP . . .	57%	64%
HMTP . . .	52.6%	57.7%
FFP—		
Iron Foundry . .	30%	31%
Steel Foundry . .	34%	35%
Forge Shop . . .	45%	49%

(b) In terms of value, the turnover in 1975-76 and in the first quarter of the current year was Rs 87.37 crores and Rs 15.70 crores respectively

(c) The capacity has been utilised almost entirely for meeting internal demand. The value of exports during 1975-76 was Rs 3,720 only. Exports in the coming years are likely to increase substantially

(d) The value of internal orders and export orders is Rs 209.29 crores and Rs 8 crores respectively

#### Meeting of Northern Region Electricity Board

244 SHRI K M 'MADHUKAR': Will the Minister of ENERGY be pleased to state

(a) whether a meeting of the Chairman and the technical members of the Northern Region Electricity Board was held in Delhi on 6th July, 1976,

(b) if so, the names of those who attended; and

(c) the decisions taken?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. S.D. DHESHWAR PRASAD): (a) Yes, Sir

(b) The meeting was attended among others by the following:—

**Members of the Board**

1. Shri B. R. Tamta, Commissioner, Municipal Corporation of Delhi —Chairman.

2. Shri S. S. Murthy, Member (PS), CEA.

3. Shri Zora Singh Brar, Chairman, PSEB.

4. Shri H. V. Goswami, Chairman, HSEB.

5. Shri S. C. Katoch, Chairman, HPSEB.

6. Shri J. P. Naegamvala, Chairman, B.M.B.

7. Shri Naresh Chandra, Chairman, RSEB.

8. SHRI J. C. Shah, Chairman, A.P.A.

9. Shri L. R. Suri, G.S., BTPS.

10. Shri P. N. Agarwal, Member, Secretary, NREB.

**Technical Members from Constituent States/Organisations**

1. Shri Sohan Singh, Tech. Member, PSEB

2. Shri A. Sagar, Member (Tech.) HSEB.

3. Shri A. N. Bhargava, Member (T), UPSEB.

4. Shri W.F. D' Souza, Member (Elect.) HPSEB.

5. Shri T. S. Madan, Member (Power) B.M.B.

6. Shri Prithvi Singh, Member (Tech.) RSEB.

7. Shri N. S. Vasant, Gn. Mgr. D.E.S.U.

(c) Among the important decisions taken in the meeting were the following:—

(i) It was decided that the recommendations of the Committee to study high frequency problems during early morning hours on certain days in the power system of the Region should be given a fair trial.

(ii) The frequency meters at Bhakra should be taken as reference for the purpose of measuring the frequency in the Northern Region.

(iii) It was agreed that the constituents will furnish hourly data required by the RLDC promptly.

(iv) The importance of expediting the completion of the generating schemes and inter-State Transmission lines of the Region was recognised; and

(v) It was agreed that the maintenance costs of the inter-State lines should be borne by the respective States in whose territory the portion of the line falls.

**पिछड़ी जातियों के लिये पदों का आरक्षण**

245. श्री रामाबतार झा: क्या प्रश्न मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार पिछड़ी जातियों के लोगों के लिये भी अनुसूचित जातियों तथा अनुसूचित जनजातियों के समान ही पदों का आरक्षण करने के किसी प्रस्ताव पर विचार कर रही है ; और

(ख) यदि हाँ, तो उसकी रूपरेखा क्या है और सरकार का इसे कब से लागू करने का विचार है ?

शुभ नमस्कार, काश्मिर और प्रशासनिक सुधार विभाग तथा संसदीय कार्य विभाग में राध मंत्री (श्री श्री देवता) :

(क) जी नहीं, श्रीमान् ।

(ख) प्रश्न ही नहीं उठता ।

**Exemption from transfers of office bearers of recognised Unions/Associations**

246. SHRI RAMAVATAR SHASTRI: Will the PRIME MINISTER be pleased to state;

(a) whether Government have given exemption from transfers to the office-bearers of recognised Unions/Associations; and

(b) whether such facility has been given to both Headquarters/Branch Unions/Associations or only to the office-bearers of Headquarters?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): (a) and (b). No Sir.

However, after discussion in the National Council of the Joint Consultative Machinery for Central Government employees, it had been decided that the Chief Executive as defined in the constitution of the recognised Association/Union or the General Secretary, or where the Chief Executive has not been specifically defined, the General Secretary, might be brought on transfer to the headquarters of the Head of Administration or any other office under his control, as far as possible.

**Collection of Economic and Statistical data**

247. SHRI P. GANGADEB: Will the Minister of PLANNING be pleased to state:

(a) whether the present system of collection of economic and statistical data in India needs to be improved for better policy and administrative decisions;

(b) whether field work in social sciences limited to village studies will

suffice testing of micro-surveys for supply of economic data; and

(c) the steps proposed to be taken in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSE): (a) Further improvement as possible in the system of collection of economic and statistical data and steps are being taken therefor.

(b) and (c). Regular censuses and large scale sample surveys are indeed helpful. A number of steps are being taken for improving the statistical system through the filling up of important gaps in information, improving the reliability of data and reducing the time-lag in the flow of information. Besides the censuses of population, agriculture and organised industry, a census of all non-agricultural economic activity in the unorganised sectors of manufacturing, trade, transport, construction and services is to be conducted shortly. The National Sample Survey Organisation which undertakes nation-wide surveys on social and economic subjects, has been restructured to provide more comprehensive and timely data. Its programme has been enlarged to cover new areas in which information is lacking.

**Utilisation of Idle Capital in Industries**

248. SHRI P. GANGADEB: Will the Minister of INDUSTRY be pleased to state:

(a) whether six thousand crores of capital is lying idle in this country and not used by the industrialists for the growth of industries in the country;

(b) if so, the reasons therefor; and

(c) the steps taken by the Centre?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b): While it is not possible to quantify in value terms the extent of capacity lying idle

in the country, it is true that many sectors of the economy there is considerable under utilisation of capacity. The reasons for under utilisation of capacity vary from industry to industry and include factors such as inefficient management, lack of diversification of production, technical obsolescence, demand constraints etc.

(c) Government has taken a number of steps to bring about better utilisation of installed capacity. These cover actions in the field of industrial licensing (e.g. permission to diversify production in selected industries and to increase production without any limit in selected industries etc.), supply of adequate raw materials, improvement in power supply and greater allocation of funds for investment in public and private sectors.

#### Exploitation of Solar Energy

249. SHRI P. GANGADEB Will the Minister of PLANNING be pleased to state:

(a) whether vigorous co-ordination attempt is being made by Government on the lines of Manhattan project system for exploitation of solar energy in India;

(b) whether it is desirable now to conserve fossil fuel of our country; and

(c) the steps being taken by Government to develop alternative resources of energy in this area of growing demand of the said power?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR CHOSE): (a) Government has a coordinated research and product development programme for utilisation of solar energy. This effort for solar energy hardware development is being done to ensure future exploitation of solar energy.

(b) Yes.

(c) Government is making every effort for utilisation of solar energy.

both as direct thermal energy and also as direct conversion to electricity as an alternative source of energy. Besides, a considerable effort is being made towards the development of Gobar Gas and exploitation of wind energy and geo-thermal energy for the same purpose.

#### Illegal Mining in Hazaribagh and Giridih Districts

250. SHRI P. GANGADEB: Will the Minister of ENERGY be pleased to state.

(a) whether large scale illegal mining has resulted in a very serious situation in Hazaribagh and Giridih districts;

(b) if so, whether it has caused huge losses to Coal India Limited; and

(c) whether Central Coal Fields Limited are compelled to close nine of its collieries?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) and (b). Prior to the promulgation of Coal Mines (Nationalisation) Ordinance 1976 on 29th April, 1976, illegal mining was being carried on by some private parties in Hazaribagh and Giridih Districts. Under-selling of coal by these persons resulted in some reduction of demand of coal from Central Coalfields Ltd., and thereby affected the despatches by road to some extent. After the promulgation of the said Ordinance, the illegal mining has stopped.

(c) No, Sir.

#### Backward area Development Authority

251. SHRI M. RAM GOPAL REDDY: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government propose to set up an authority of backward area development; and



(b) if so, the facts thereof?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) and (b). The setting up of an authority for industrial development of backward areas is under the serious consideration of Government. Some salient features of this proposed authority as given to the Lok Sabha by the Minister of Industry and Civil Supplies during the last session are given in the enclosed statement.

#### Statement

#### AUTHORITY FOR BACKWARD AREA DEVELOPMENT

Authority of Backward Area Development will not undertake any financing which the re-organised IDBI is competent to do. It will partly finance infrastructure development outside the industrial estates/areas since IDBI does not finance such infrastructural development. It will assist in the preparation of feasibility reports of prospective industries based on local resources in backward areas. It will disseminate information to investors of the facilities and incentives available for industrial development in backward areas. It will keep a panel of skilled persons who could be deputed on short-term assignments to backward State. It could also administer, as an agent of the Ministry of Industry and Civil Supplies, the capital subsidies schemes. It would keep itself in close touch with the state Government to watch the progress of the State Government schemes for incentives and subsidies and concessional finance schemes of financial institutions. It could closely liaise with HUDCO for construction of industrial houses in growth centres in backward areas. It could provide technical assistance and training facilities to staff in backward States where the existing schemes of the Government of India have not had any appreciable impact.

#### Setting up of Machinery for Redressal of Public Grievances in States

252. SHRI M. RAM GOPAL REDDY: Will the PRIME MINISTER be pleased to state:

(a) whether State Governments have been asked to speed up the setting up of machinery for redressal of public grievances; and

(b) if so, the steps taken by States in this direction?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): (a) and (b). In a letter addressed to Chief Ministers on the 2nd November, 1975, it was impressed upon them to strengthen/evolve the machinery for the redressal of the public grievances. The Chief Secretaries Conference, which was held on the 7th and 8th May, 1976, made the following recommendations in respect of redressal of public grievances:—

- (i) Every Departmental Officer at the district and lower levels should earmark one particular day every week for listening to and redressing public grievances.
- (ii) District Grievances Committee might be presided over by a Minister or the Commissioner depending upon the local conditions, this Committee should be sufficiently high powered to redress the grievances of the citizens on the spot. This committee should not take over normal administration of any Department.
- (iii) Some office facilities even at the residence should be provided for the Patwaris V.L.W's and other field staff so that the villagers can meet them during specific days of the week.

These were communicated to the State Governments by the Department of Personnel and Administrative Reforms for Implementation. According to the reports received from the State Governments, necessary implemental action is being taken by them.

दामोदर बाटी परियोजना के बांधों में  
मत्स्य पालन

253. श्री अंकर इन्द्राज सिंह : क्या ऊर्जा मंत्री यह बताने की कृपा करेंगे कि :

(क) दामोदर नदी बाटी परियोजना के विभिन्न बांधों में मछली पालन में सरकार को मत तीन वर्षों में प्रति वर्ष कितनी आय हुई ;

(ख) क्या मछली का व्यवसाय करने के लिए स्थानीय लोगों को सुविधाएं प्रदान की गयी थीं ; और

(ग) यदि हां, तो क्या तिलैया बांध में जो स्थानीय मत्स्य मछली का व्यवसाय दामोदर बाटी निगम के साथ साझेदारी में करते थे उन्हें इस सुविधा से वंचित कर दिया गया है ?

ऊर्जा मंत्रालय में उभरंडी (जो० सिद्धेश्वर प्रसाद) : (क) से (ग) दामोदर बाटी निगम के जलाशयों में मछली उद्योग का कार्य उक्त निगम के नियंत्रण में है और तदनुसार सरकार को इससे कोई आय नहीं होती। दामोदर बाटी निगम द्वारा विभागीय तौर पर मछली उद्योग अगस्त, 1974 के मध्य से शुरू किया गया था और अगस्त, 1975 तक इसे जारी रखा गया। तदुपरांत मछली उद्योग का कार्य एक प्राइवेट साइसेंस-धारी को पट्टे पर दे दिया गया है, जिससे साइसेंस-शुरूक बहुत किया जा रहा है। निगम की अपने बांधों में मछली उद्योग से

पिछले तीन वर्षों में हुई आय निम्न प्रकार की —

1973-74	शून्य
1974-75	1,07,649 रुपये
1975-76	2,36,158 रुपये

विभागीय तौर पर मछली उद्योग की अवधि के दौरान स्थानीय मत्स्यकों की तथा अन्य लोगों को दामोदर बाटी निगम के जलाशयों में मछली पकड़ने की अनुमति दी जाती थी, जिसके लिए उन्हें पारिश्रमिक दिया जाना था परन्तु पकड़ी गई मछलियां निगम द्वारा बेची जाती थी। वर्तमान साइसेंसधारी को भी मत्स्य दी गई है कि मछली उद्योग में स्थानीय मत्स्यकों को काम पर लगाएं और वह ऐसा कर रहा है।

#### Report of Study Group for Development of Western Ghats

254 SHRI B V NAIK Will the Minister of PLANNING be pleased to state:

(a) whether the study group for the development of Western ghats has submitted its report;

(b) if so, what are its findings; and

(c) what the Planning Commission propose to do in regard to (b) above?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSH): (a) to (c). No study group as mentioned in (a) has been set up and (b) and (c) therefore do not arise. However, there is a high level committee which recommends various programmes to be undertaken for the development of Western Ghats region.

### Opening of Depots for Essential Commodities in Villages

255. SHRI D. K. PANDA: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether as a part of 20-point economic programme, the Government have opened depots for flour, sugar, cloth and pulses in villages;

(b) if so, how many such depots for the villages have been opened in each State during this one year;

(c) what is the average price list; and

(d) whether Government have received any complaints regarding prices in those depots?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) to (d). Ration shops/fair price shops are opened by State Governments for the supply of controlled commodities according to the requirements of areas, including the rural areas. The commodities distributed through these fair price outlets are rice, wheat and wheat products, levy sugar and in certain areas, pulses. The number of fair price shops/ration shops has gone up from 2.23 lakhs in June, 1975 to 2.38 lakhs in June, 1976. Approximately 80 per cent of these are functioning in the rural areas. The number of retail outlets for controlled cloth has risen from 29,324 last year to approximately 47,000 at present of which over 37,000 are functioning in rural areas. Statements indicating Statewise details are laid on the Table of the House. [Placed in Library. See No. LT11012/761. All these commodities are sold at controlled rates. Complaints regarding prices charged in these depots are attended to by the respective State Governments.

### Modern Method of Mining in Indian Collieries

256. SHRI D. K. PANDA; SHRIMATI PARVATHI KRISHNAN:

Will the Minister of ENERGY be pleased to state:

(a) whether modern method of mining called scraper mining has been introduced in Indian collieries;

(b) if so, the facts thereof;

(c) how far it has affected the employment of the people who were doing this work previously; and

(d) Government's decision regarding such employees of the collieries?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) and (b). Yes, Sir. This method has been introduced in a limited number of mines of Coal India Limited and TISCO on an experimental basis.

(c) The introduction of this method has resulted in increased coal production and optimal utilization of workmen in the mines.

(d) Does not arise.

### Closed Industrial Establishments

257. SHRI R. N. BARMAN: Will the Minister of INDUSTRY be pleased to state:

(a) the total number of closed industrial establishments at present;

(b) the total industrial production loss being suffered by these units per year and persons unemployed; and

(c) the steps being taken by Government to reopen them?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (c). A statement indicating the units closed

in each State during the year 1975-76, as reported by the State Governments, is laid on the Table of the House. [Place in Library. See No. LT-11013/76]. Government and financial institutions have already initiated action to monitor incidence of the phenomenon of sickness in industrial undertakings, at the incipient stage itself, with a view to provide them increased allocation of raw materials, working capital and technical assistance and also to bring about changes in management.

(b) The information is being collected and will be laid on the Table of the House.

#### Shifting of Head Quarters of Industrial Units to Calcutta

258. SHRI R. N. BARMAN: Will the Minister of INDUSTRY be pleased to state:

(a) whether some of the industrial units have once again started shifting their Head Offices to Calcutta;

(b) whether there has been any improvement in industrial investment also in West Bengal; and

(c) if so, the facts thereof for the last three years?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). Yes, Sir.

(c) The number of industrial units/cos. shifting head office to Calcutta during the last three years are:

Year	No.
1973-74	4
1974-75	8
1975-76	8

The estimated industrial investment in licensed project implemented during the three years from June, 1973 to June, 1976 is of the order of Rs. 342.82 crores (estimated).

#### C. B. I. Inquiry into Murder of a Lucknow Girl

259. SHRI R. N. BARMAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether CBI has been entrusted with the investigation of a Lucknow case where a girl was killed allegedly by smugglers; and

(b) if so, the progress made in regard thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) At the request of State Govt., the Central Bureau of Investigation has been entrusted with the investigation of Miss Shubhra Lahiri's murder case of Lucknow, on 2-5-76.

(b) The case is under investigation.

#### Employment of Wives of Army Officers by Foreign Organisation

260. SHRIMATI ROZA DESHPANDE.

SHRI C. JANARDHANAN:

SHRI N. SREEKANTAN NAIR:

Will the Minister of DEFENCE be pleased to state:

(a) whether I. B. M. is employing the wives of army officers posted at sensitive posts on high salaries;

(b) if so, the number of such persons working in I. B. M.;

(c) since when they have been working their educational qualifications and salaries;

(d) whether the wives of army officers are not allowed to work in any foreign organisation; and

(e) if so, whether these officers have sought permission from the Government before getting jobs in this firm?

THE MINISTER OF DEFENCE (SHRI BANSI LAL): (a) and (b). One case of the wife of a retired but re-employed officer of the Army has come to our notice.

(c) She is a Matriculate and has been working since 1st February, 1969. Her present salary is Rs. 1,000 per month.

(d) Ordinarily not, but there is a provision for permission being given in certain cases.

(e) The officer sought ex-post-facto permission on 19-9-1972. The matter was considered and her appointment was not found objectionable and was approved on 17-3-1973.

#### Vishakhapatnam Naval Dock Yard

261. SHRIMATI ROZA DESHPANDE: Will the Minister of DEFENCE be pleased to state:

(a) the progress made in the construction of Vishakhapatnam Naval Dockyard; and

(b) how long it would take to complete?

THE MINISTER OF DEFENCE (SHRI BANSI LAL): (a) and (b). The Naval Dockyard Project at Vishakhapatnam has been planned to be executed in three phases, basing the plan on operational requirements and availability of resources. The first phase of the Project is expected to be completed by 1979. The second phase is expected to be completed by 1981. The third phase will be taken up after completion of the second phase. It is difficult to say at present when the third phase will be completed.

#### Development of Small Scale Units

262. SHRI SHANKAR DAYAL SINGH:

SHRIMATI ROZA DESHPANDE:

SHRI RAGHUNANDAN LAL BHATIA:

SHRI R. S. PANDEY:

Will the Minister of INDUSTRY be pleased to state:

(a) whether Government have drawn a new programme to develop small scale units;

(b) if so, the main features of the programme;

(c) how far this had been welcomed by the small scale industrialists; and

(d) whether International Labour Organisation has also shown interest in the programme?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) and (b). Since the last two years, and particularly since the proclamation of the Emergency, the development of small scale industries has been intensified and extended. The initiatives taken in this regard relate to development of entrepreneurship and small scale industries in backward areas, the Programme of Assistance to Engineer Entrepreneurs; modernisation programme; scheme for Regional Testing Centres and setting up of new Tool Rooms as well as Product and Process Development Centre in Glass and Ceramics; development of ancillaries and marketing exports; and services in respect of consultancy and extension.

(c) These initiatives have been welcomed by small scale industries and have resulted in an increase of employment and productivity in the small scale sector.

(d) Yes, Sir; specially in regard to small scale industries in rural areas.

**Expansion of Bhabha Atomic  
Research Centre, Trombay**

263. SHRI YAMUNA PRASAD MANDAL: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether Government propose to expand Bhabha Atomic Research Centre at Trombay; and

(b) if so, the main features thereof?

THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) and (b). No, Sir. Apart from a few sanctioned projects on which work is already underway, such as R-5 reactor, there are no further proposals for adding any more experimental facilities at the Bhabha Atomic Research Centre, Trombay.

**Annual Plan of Kerala for 1976-77**

264. SHRI VAYALAR RAVI:

SHRIMATI BHARGAVI THAN-KAPPAN:

SHRI C. K. CHANDRAPPAN:

Will the Minister of PLANNING be pleased to state:

(a) the total outlay of the annual plan of Kerala for 1976-77;

(b) whether there is any proposal to cut the annual plan outlay of that State;

(c) if so, the reasons therefor and whether Government have received any representation against this proposal; and

(d) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GOSE): (a) to (d). The position in regard to plan outlay is

yet to be reviewed in the light of the assessment of the State's resources recently undertaken in consultation with the State Government.

**Pension, Gratuity and other benefits  
to employees of Sainik Schools**

265. SHRI VAYALAR RAVI: Will the Minister of DEFENCE be pleased to state whether the employees of Sainik Schools are getting benefits of pension, gratuity, medical aid and family pension?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): The Principal, Headmaster and Registrar, who are drawn from the armed service, are entitled to the benefits of pension, gratuity, medical aid and family pension in accordance with their respective service regulations. Other employees of the Sainik Schools are covered by the Contributory Provident Fund Scheme, in which the employer contributes 8.33 per cent. of the employees emoluments provided the subscriber chooses to contribute a similar or greater amount. Sainik School employees are entitled to free medical consultation and medicines for minor ailments from the school dispensary and for major ailments for assistance from the Government dispensaries/hospitals in the vicinity. A scheme for contributory medical assistance to the staff of Sainik Schools is under consideration.

**Retirement prosecution of Central  
Government Officials due to Corrup-  
tion or inefficiency**

266. SHRI PRIYA RANJAN DAS MUNSI:

SHRI B. R. SHUKLA:

Will the PRIME MINISTER be pleased to state the number of Central Government officials all over the

country who have been retired or prosecuted due to corruption charges or inefficiency after the proclamation of Emergency in June, 1975?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Between June 1975 and 31-7-1976, 4944 Central Government employees (including All India Service officers) were ordered to be retired prematurely in the public interest; and 564 Central Government employees were prosecuted by the C.B.I. between June 1975 and 30-6-76.

**Detention of Central Government Officials under MISA**

267. SHRI PRIYA RANJAN DAS MUNSI:

SHRI B. R. SHUKLA:

Will the Minister of HOME AFFAIRS be pleased to state the number of Central Government officials of various Ministries who have been detained under MISA, after the proclamation of Emergency in June, 1975 for serious offences, misappropriation of money and malpractices and their categorisation.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Detention under MISA are made only for the purposes specified in the Act. It is purely incidental if a person detained happens to be in Government service.

It would not be in public interest at this stage to disclose information regarding the persons detained in the context of emergency.

**Power losses at Thermal Plants set up during the last three years**

268. SHRI RAJDEO SINGH: Will the Minister of ENERGY be pleased to state:

(a) whether the Central Electricity Authority has recently discovered that power losses at the thermal plants set up during the last three years are considerably higher than the national average for losses; and

(b) if so, whether the causes for loss have been investigated?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SID. DESHWAR PRASAD): (a) and (b). Central Electricity Authority have studied the outages of thermal plants including those set up during last three years. It is normal for thermal plants to undergo teething troubles initially and stabilise for normal production after about two years from the date of initial synchronisation. As a result of the studies certain modifications have been/are being carried out wherever necessary with consequential further improvement in performance.

**Club of Scientists of Third World Countries**

269 SHRI RAJDEO SINGH:

SHRIMATI PARVATHI KRISHNAN:

SHRI ISHAQUE SAMBHALI:

Will the Minister of PLANNING be pleased to state:

(a) whether recently any idea of a Club of Scientists belonging to the Third World was initiated; and

(b) if so, the reaction of the majority of the non-aligned countries?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSE): (a) and (b). There is, in Mexico City, a centre of economic and social studies of the Third World

(CEESTM) created under the auspices of the Mexican Government. The principal objective of the Centre is to contribute to the solution of the common problems of the Third World through study and research.

At the recent meetings of the non-aligned countries in New York, Peru had circulated a document which suggested the establishment of a Third-World-Centre for technological development with the objective of promoting exchange of ideas and experiences on policies and actions in the field of technology. The idea of having a Club of Scientists belonging to the Third World has to be examined in the light of the above facts and other relevant factors.

**Probe into Financial Assistance by Unit Trust of India to six concerns**

270. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of INDUSTRY be pleased to state:

(a) whether any probe was started into the financial assistance by the Unit Trust of India to six concerns belonging to the large industrial houses in May, 1976 at New Delhi by the Commission of Inquiry on Large Industrial Houses; and

(b) if so, the outcome of the probe?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). The Commission of Inquiry on Large Industrial Houses held public hearings in May, 1976 in the matter of financial assistance by Unit Trust of India to six concerns belonging to larger industrial houses. This hearing was a sequel to investigation made earlier in those cases. The findings of Commission in the matters considered at the hearings will be incorporated in its report to be submitted to the Government.

**Discovery of Uranium Deposits in Sarguja District in M.P.**

271. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of ATOMIC ENERGY be pleased to state:

(a) whether Atomic Energy Division has discovered recently new deposits of Uranium at Dumhat in Sarguja District in Madhya Pradesh; and

(b) if so, the main features thereof?

THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI INDIRA GANDHI): (a) and (b). The Atomic Minerals Division of the Department of Atomic Energy has located promising occurrences of uranium near Dumhat and its environs in Sarguja District, Madhya Pradesh. Radio activity due to uranium has been detected along a prominent shear zone. Detailed investigations are being carried out in the area.

**Visit of Indian Delegation to Europe**

272. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether an Indian delegation led by him had visited Europe in June, 1976 to study the promotion of consumers interests;

(b) if so, the outcome of the visit; and

(c) whether any measures were finalised for the mutual benefit of the country and buyer nations?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) to (c). A delegation led by Minister of State visited Europe in June, 1976. One of the objects of the visit was to study measures for



consumer protection. Accordingly the delegation made a study of legislative and organisational arrangements for consumer protection in Sweden, U.K. and U.S.A. This study will be taken into account while formulating legislation on fair trade practices and other connected measures for consumer protection.

The delegation also generally explored the possibilities of inter cooperative trade. Cooperatives in Switzerland, Sweden and United Kingdom have expressed specific interest in purchasing agricultural commodities and manufactured goods from Cooperatives in India. Detailed negotiations will now take place for these trade exchanges between the concerned cooperatives.

#### Bazar for Range Hill Area of Kirkee

273. SHRI ANANTRAO PATIL: Will the Minister of DEFENCE be pleased to state.

(a) whether a representation has been made to his Ministry for a Bazar in Range Hill area of Kirkee, Poona; and

(b) if so, the action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) Yes, Sir.

(b) It has been decided in principle to vest 25,000 sq. ft. of military land with the Cantonment Board for setting up market facilities.

#### Water Scheme for Dehu Road Cantonment

274. SHRI ANANTRAO PATIL: Will the Minister of DEFENCE be pleased to state:

(a) whether the Dehu Road Cantonment Board has asked for funds for its new water scheme; and

(b) if so, the amount sanctioned and when the work is likely to be started?

THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK): (a) The Cantonment Board has asked for funds in the form of Special grant-in-aid to participate in a water supply scheme to be executed by the Maharashtra Industrial Development Corporation.

(b) The scheme is at present under scrutiny by the Engineers.

“दूरदर्शन” के कर्मचारियों के लिये नया स्टाफ पैटर्न तथा नये बेतनमान

275. श्री लालजी भाई : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या “दूरदर्शन” के कर्मचारियों के लिए सम्यक् समय से नये स्टाफ पैटर्न तथा नये बेतनमान सम्बन्धी प्रस्ताव विचाराधीन है ; और

(ख) यदि हाँ, तो इस विलम्ब के कारण क्या है तथा नये बेतनमान तथा स्टाफ पैटर्न कब तक लागू कर दिये जायेंगे ?

सूचना और प्रसारण मंत्रालय में उप-मंत्री (श्री बरनवीर सिंह) : (क) दूरदर्शन केन्द्रों के लिए स्टाफ पैटर्न और दूरदर्शन के कर्मचारियों के शुल्क/बेतन मानों में मशोखन संबंधी प्रस्ताव कुछ समय के विचाराधीन है ।

(ख) स्टाफ पैटर्न के बारे में निर्णय वित्त मंत्रालय की स्टाफ निरीक्षण यूनिट, जिसने दिल्ली दूरदर्शन केन्द्र का अध्ययन करना पहले ही शुरू कर दिया है, की रिपोर्ट उपलब्ध होने के बाद लिया जायेगा । इस बीच, नियमित सरकारी कर्मचारियों के बारे में तीसरे बेतन आयोग द्वारा की गई सिफारिशों के समूह दूरदर्शन के स्टाफ ऑफिसरों के शुल्क मानों में संशोधन करने के बारे में विचार करना शुरू कर दिया गया है ।

साहित्यकारों के कृष्ण यानों में संशोधन करने के बारे में विचार करना शुरू कर दिया गया है।

#### Target for production of Coal

276. SHRI M. KATHAMUTHU: Will the Minister of ENERGY be pleased to state:

(a) whether the Fifth Plan targets for the production of coal has been lowered from 135 million tonnes to 125 million tonnes;

(b) if so, the reasons therefor; and

(c) what is the present rate of production and what steps are being taken to achieve the revised target?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDDHESHWAR PRASAD): (a) and (b) Yes, Sir, the Fifth Plan target for the production of coal has been lowered from 135 million tonnes to 124 million tonnes. The reduction is largely due to the lower demand of coal now projected for the Steel and Power sectors.

(c) The present rate of production of coal is as follows:

Period	Production in Million tonnes
	(Provisional)
1974-75	88.41
1975-76	99.69
April '76	7.92
May '76	7.69
June '76	7.86
July '76	8.14
Total (April to July '76)	31.61

The revised target can be achieved.

#### Recruitment to C.R.P.F.

277. SHRIMATI BHARGAVI THAN-KAPPAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Government have imposed ban on new recruitment of Keralities, Tamilians and Karnatakas in C.R.P.F.;

(b) if so, the reasons therefor;

(c) whether there is any exception for Scheduled Castes/Scheduled Tribes from these States in this regard, and

(d) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) No, Sir. The recruitment into C.R.P. from various States is being regulated in order to ensure that there is fair representation from all States.

(b) to (d). Do not arise.

#### Loss incurred by Remco and MPL

278. SHRI K. MALLANNA: Will the Minister of INDUSTRY be pleased to state:

(a) whether Radio and Electricals Manufacturing Company Limited (REMCO) and Mysore Porcelain Limited (MPL) are running in loss;

(b) if so, the amount of loss so far incurred;

(c) whether Karnataka Government holds majority shares in these companies; and

(d) the steps Government have taken to save these companies from becoming sick and turn them into profit-earning companies?

THE MINISTER OF INDUSTRY (SHRI T. A. PAI): (a) Yes, Sir.

(b) REMCO: The Cumulative loss incurred by Radio and Electricals Manufacturing Company upto 31-3-75, was Rs. 3.76 crores.

MPL: Mysore Porcelains Limited made some marginal profits in the earlier years but incurred a heavy loss of Rs. 38,07,865/- in 1974-75 raising cumulative loss to Rs. 48.90 lacs.

(c) Yes, Sir, Karnataka Government and State Industrial Investment and Development Corporation together hold 86.19 per cent shares in REMCO and 86.76 per cent in IPL.

(d) After completing certain procedural formalities, these units will be formally taken over by BHEL. The acquisition by BHEL would turn them into profit earning units. Many advantages would accrue with the take-over of REMCO and MPL.

BHEL has got a Power Electronic Project. REMCO will provide an ideal location for this project by making available a good infra-structure base with adequate power, water and built-up area with scope for expansion. With the utilisation of the existing facilities at REMCO, the power electronics project is likely to be commissioned 18 months earlier than the schedule. The early commissioning of this project would result in foreign exchange savings to the tune of Rs. 60 million through import substitution. The energy meters currently manufactured at REMCO have not undergone any design improvement since the commencement of their collaboration. BHEL propose to improve the design and also introduce other energy meters such as Maximum Demand Indicating Meters, Two part and Three Part Tariff Meters, Switch Boards Mounting and other special meters, relays etc. Thus merger of REMCO with BHEL would rejuvenate industrial activity in the area and provide continued gainful employment.

The taking over of MPL would meet BHEL's requirement of porcelain insulators valued at nearly Rs. 30 million. As present 50 per cent of its requirements are met by imports. At times BHEL are unable to get these

insulators through imports, in times and this introduces a certain element of uncertainty in BHEL's production programme. This position would further deteriorate with the implementation of country's power development programme and also with the commissioning of BHEL's new plant of Jhansi which would entail additional requirement of these insulators. At present only 25 per cent of BHEL's requirements of insulators are met by MPL. BHEL propose to increase the production by suitably changing the product mix of MPL so that the total requirement of BHEL may be met.

#### "Employment News" Weekly

279. SHRI R. S. PANDEY: Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether Government have a proposal to publish 'Employment News' Weekly in languages other than English and Hindi; and

(b) if so, the languages in which it will be published?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA): (a) and (b). 'Employment News' is now being published in English, Hindi, Bengali and Urdu. Its Tamil and Telugu editions will be brought out shortly. Its publication in other Indian languages is also under consideration.

#### Production of cement

280 SHRI RAM PRAKASH: Will the Minister of INDUSTRY be pleased to state:

(a) whether there is any proposal with Government to step up the production of cement in the country; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): (a) and (b). The present installed capacity of the cement industry is of the order of 21.16

million tonnes per annum and an additional capacity of more than 20 million tonnes has been approved, out of which a capacity of about 2 million tonnes is likely to materialise by the end of Fifth Plan. There was an increase of 17 per cent in the production of cement during 1975-76 (17.2 million tonnes) over that of 1974-75 (14.7 million tonnes).

The Government has also decided to engage the services of some consultants to study the existing units and report on the possibilities and extent of increasing productivity, maximising their capacity and improving their efficiency.

**Meeting with representatives of shoemakers and cloth merchants**

281. SHRI P. M. MEHTA: Will the Minister of CIVIL SUPPLIES AND COOPERATION be pleased to state:

(a) whether Union Government had several times called the meeting of the representatives of the shoemakers and cloth merchants and had asked them to reduce the prices of their products;

(b) if so, whether the representatives have not so far reduced the prices of their products;

(c) whether Union Government have decided to take action against them to bring the prices of their material to the level of 1973; and

(d) whether the prices of the cloth and shoes are the highest in the market at present, and if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES AND COOPERATION (SHRI A. C. GEORGE): (a) The Union Government held a few meetings with a few leading manufacturers of shoes regarding reduction in the prices of common footwear. However, the Union Government has not held any

meeting with cloth merchants regarding reduction in the prices of textiles.

(b) The three main manufacturers of footwear in the organised sector have reduced the prices of selected brands of common footwear.

(c) and (d). No, Sir.

**Setting up of a Committee for Implementation of Administrative Reforms**

282. SHRI P. M. MEHTA: Will the PRIME MINISTER be pleased to state:

(a) whether Government are considering to set up a committee to ensure speedy implementation of the administrative reforms;

(b) if so, the main features thereof; and

(c) the time by which the committee is likely to be set up?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):

(a) No, Sir.

(b) and (c). Do not arise.

**Power Shortage**

283. SHRI P. M. MEHTA: Will the Minister to ENERGY be pleased to state:

(a) whether power supply in the country has worsened during the current year and in some States it was acute;

(b) if so, main reasons therefor;

(c) whether the power shortage was more this year in comparison to last year;

(d) whether the Union Government have taken measures to see that power shortage does not continue for long at least in industrial areas; and

(e) if so, steps being taken to improve the power position in the country?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDHESHWAR PRASAD): (a) to (e). The overall power supply position in the country has not worsened during the current year. In a few States like Kerala and Tamil Nadu, however the power position has been affected by low hydro availability on account of weak monsoon activity in the catchment areas of hydel stations. On the other hand there will be increased generation in most other States.

The Union Government are constantly reviewing the situation and steps to maximise generation and ensure that Power projects under construction keep to schedules, are being taken.

In the matter of supply of power, due priority is given to the industrial sector.

#### Inter-State Gang Operating Parallel Transport Authority

284. SHRI AMARSINH CHAUDHARI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether recently the Delhi Police, while investigating a murder case, has chanced on an inter-State gang allegedly operating a "Parallel transport authority" on Delhi-Uttar Pradesh Border and arrested six persons;

(b) whether the gang was said to be engaged in issuing forged inter-State route permits, driving licences, and road tokens;

(c) whether in a series of raids, the police recovered large stocks of forged seals, rubber stamp of various transport authorities, fake driving licences, registration books and road tax tokens; and

(d) if so, the facts thereof and the action taken in the matter?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Yes, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

(d) During investigation another 12 persons were arrested from various places and incriminating documents and material were also recovered. A case FIR No. 384 dated 16-7-1976 u/s 472/473 IPC was registered at P.S. Shahdra.

#### Location of Coal Seams in Eastern Extension of Raniganj fields

285. SHRI SAROJ MUKHERJEE: Will the Minister of ENERGY be pleased to state:

(a) whether five virgin coal seams have been located in Eastern Extension of Raniganj field at Moira and Katdih Bazar (West Bengal);

(b) if so, steps being taken to complete all relevant processes before the mines can be actually worked up; and

(c) by what time these mines would be worked up?

THE DEPUTY MINISTER IN THE MINISTRY OF ENERGY (PROF. SIDHESHWAR PRASAD): (a) Yes, Sir.

(b) For working out details of the seams in some areas drilling by the Geological Survey of India is in progress and feasibility report is under preparation.

(c) The programme for working out of these mines may be finalised depending on the production target of the Sixth Plan.

#### Development of Attappadi and Wynad of Kerala

286. SHRI C. H. MOHAMED KOYA: SHRI N. SREEKANTAN NAIR:

Will the Minister of PLANNING be pleased to state:

(a) whether the State Government of Kerala have sent some specific

schemes for the development of Attappadi and Wynad to the Central Government for approval and for financial assistance under the Western Ghat Development Programme; and

(b) if so, the action taken by Government to improve the living conditions of the people inhabiting in those areas?

**THE MINISTER OF STATE IN THE MINISTRY OF PLANNING (SHRI SANKAR GHOSE):** (a) Yes, Sir.

(b) Three schemes proposed by the State Government have been approved and are being implemented.

**Pending Applications for Industrial Licence from Kerala**

**287. SHRI C. H. MOHAMED KOYA: SHRI N. SREEKANTAN NAIR:**

Will the Minister of INDUSTRY be pleased to state:

(a) whether applications from the State of Kerala for grant of Industrial licence are pending with the Government of India; and

(b) if so, the number and the reasons thereof?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) and (b). Out of the industrial licence applications for Kerala received till 31-7-78, 11 applications are pending. Various considerations such as availability of infra-structure, raw materials, know-how, demand, capacity installed etc., are kept in view while taking decisions on industrial licence applications. Every effort is being made to dispose of the pending applications as expeditiously as possible.

**Issue of letters of intent to Assam**

**288. SHRI BISWANARAYAN SHASTRI:** Will the Minister of INDUSTRY be pleased to state:

(a) the number of letters of intent issued to Assam by the Government during the last financial year; and

(b) how many of them have so far been implemented?

**THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA):** (a) 10 letters of intent were issued under the Industries (Development and Regulation) Act, 1951, for location of industrial units in Assam State during the last financial year 1978-79.

(b) The initial validity period of a letter of intent is one year, which can be further extended for another one year. Therefore, letters of intent issued during last financial year are at various stages of implementation.

**Indian Draft on Newspool**

**289. SHRI ANANTRAO PATIL:** Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether he played an important role in getting the Indian Draft on the setting up of the newspool okayed at the Ministerial Conference of non-aligned countries on news agencies pool;

(b) the possible difficulties in the creation and working of the newspool and how these difficulties could be overcome; and

(c) whether India is prepared to give facilities in imparting education in the field of newspaper, Radio and Television to the member countries?

**THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAM BIR SINHA):** (a) Minister (Information and Broadcasting) was elected as the President of the Ministerial Conference of the Non-aligned Countries on the Press Agencies Pool and as such he was naturally associated actively with all the work and the decision of the Conference, which were, however, the result of close cooperation and dedication of all the participating delegations.

(b) A clear and practical framework for the working of the Press Agencies Pool has been provided in its constitution adopted by the Conference. A Co-ordination Committee has also been set up to make the Pool operational.

(c) Facilities for training will be provided to the member countries to the extent possible.

#### **Waiting List for Allotment of Scooters**

298. SHRI K. LAKKAPPA: Will the Minister of INDUSTRY be pleased to state:

(a) whether Government are aware of the long waiting list for allotment of scooters to the general public; and

(b) if so, steps being taken by Government to meet the situation?

THE MINISTRY OF INDUSTRY (SHRI T. A. PAI): (a) and (b). 5,94,598 orders were pending with various dealers in the Country by the end of June, 1976 for allotment of scooters to the general public. As a result of a number of steps taken, production of scooters has been steadily going up and it is expected that demand for scooters placed at between 3,00,000 and 4,00,000 in 1979-80 would have been substantially met in terms of aggregate availability as distinct from individual preferences.

#### **Forged Certificates Racket**

291 SHRI RAM PRAKASH:

SHRI N. E. HORO:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether an organised racket, involving the sale of forged higher secondary school certificates and University degrees, has been busted by the Crime Branch of Delhi Police;

(b) if so, the facts thereof; and

(c) whether similar complaints have been received from other States also and cases detected; if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): (a) Yes, Sir.

(b) Two cases have been registered one each at Police Stations Kingsway Camp and Lodhi Colony and 66 persons have been arrested. Incriminating documents such as forged certificates, degrees, mark-sheets and character certificates have been recovered.

(c) No, Sir.

#### **चम्बल बाटी में डाकुओं का आतंक**

292. श्री लालबी माई : क्या गृह मंत्री यह बताने की कृपा करेंगे कि :

(क) चम्बल बाटी में डाकुओं का आतंक समाप्त करने के लिए केन्द्र तथा मध्य प्रदेश और राजस्थान सरकारों द्वारा इन दोनों राज्यों के मिले-जुले क्षेत्र चम्बल बाटी में किस प्रकार के प्रयत्न किये जा रहे हैं ;

(ख) इन प्रयत्नों में पिछले तीन वर्षों में कितनी जनराशि खर्च हुई ; और

(ग) केन्द्र तथा राज्य सरकारों को, पृथक्-पृथक्, कितनी-कितनी सक्चना मिली है ?

गृह राज्य में डनबाई (सीएच० एच० मोहसिन) : (क) से (ग). भारत सरकार ने 1970-71 में डाकू विरोधी कार्यों के सम्बन्ध में सड़कों के निर्माण के लिए और वायवर्ती उपकरण तथा बाहुन खरीदने के लिए मध्य प्रदेश और राजस्थान की सरकारों को 64.70 लाख रुपये की ऋण सहायता दी। राज्य सरकारों को

डाकू बिरोधी समन्वित कार्यवाही प्रारम्भ करने, उनके क्षेत्र में सक्रिय अपराधियों के बारे में उनके पास उपलब्ध सूचना का प्रदान प्रदान करने, नियमित रूप से अन्तराज्यीय बैठकों का आयोजन करने, स्थिति का निरन्तर पुनरीक्षण करने, डाकूओं के हथियारों तथा योला बाकूद की सत्वाई लाइनें नष्ट करने, राष्ट्रीय राजमार्गों पर चलता-फिरता गश्त लगाने, क्षेत्र में दूरसंचार का विस्तार करने, क्षेत्र में तैनात पुलिस के लिए अधिक गतिशीलता की व्यवस्था करने और चम्बल क्षेत्र के लिए विकास योजना तैयार करने के लिए भी कहा गया है ;

मध्य प्रदेश और राजस्थान सरकार से सूचना प्रत्यागित है और प्राप्त होने पर सदन के पटल पर रख दी जायेगी ।

गर्म (ऊनी) खड़ी का उत्पादन

293. श्री सात्वजी भई : क्या उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राजस्थान सरकार ने हाल ही में गर्म (ऊनी) खादी बनाने के लिए प्रोत्साहन देने हेतु एक मास्टर प्लान की घोषणा की है ; और

(ख) यदि हा, तो तत्सम्बन्धी मुख्य बातें क्या हैं ?

उद्योग मंत्री (श्री ड० ए० पाई) :  
(क) जी नहीं ।

(ख) प्रश्न ही नहीं उठता ।

12.00 hrs.

## PAPERS LAID ON THE TABLE

NOTIFICATION UNDER ESSENTIAL COMMODITIES ACT, 1955. INVESTIGATION OF INDUSTRIAL UNDERTAKINGS OWNED BY COMPANIES IN LIQUIDATION (PROCEDURE) AMENDMENT RULES, 1976 AND REPORT OF DEVELOPMENT COUNCIL FOR FOOD PROCESSING INDUSTRIES FOR 1971-73

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY (SHRI B. P. MAURYA): On behalf of Shri A. C. George, I beg to lay on the Table a copy of Notification No. S.O. 371 (Hindi and English versions) published in Gazette of India dated the 28th May, 1976, under sub-section (1) of section 12A of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-10978/76].

I beg to lay on the Table—

(1) A copy of the Investigation of Industrial Undertakings Owned by Companies in Liquidation (Procedure) Amendment Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 437(E) in Gazette of India dated 3rd July, 1976 together with Corrigendum thereto published in Notification No. G.S.R. 486(E) in Gazette of India dated the 24th July, 1976, under sub-section (4) of section 30 of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-10979/76].

(2) A copy of the Report (Hindi and English versions) of the Development Council for Food Processing Industries for the years 1971-73, under sub-section (4) of section 7 of the Industries (Development and Regulation) Act, 1951. [Placed in Library. See No. LT-10980/76].



**NOTIFICATIONS UNDER ALL INDIA SERVICES ACT, 1951 & TAMIL NADU PUBLIC MEN (CRIMINAL MISCONDUCT) RULES 1975 ALONG WITH STATEMENTS BY THE LAYING**

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** I beg to lay on the Table—

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 3 of the All India Services Act, 1951:—

(i) G.S.R. 399(E) published in Gazette of India dated the 16th June, 1976 extending the rules and regulations specified in the schedule to this Notification, to the State of Sikkim.

(ii) G.S.R. 406(E) published in Gazette of India dated the 16th June, 1976.

(iii) The Indian Forest Service (Fixation of Cadre Strength) Amendment Regulations, 1976, published in Notification No. G.S.R. 407(E) in Gazette of India dated the 16th June, 1976.

(iv) The Indian Forest Service (Pay) Amendment Rules, 1976, published in Notification No. G.S.R. 408(E) in Gazette of India dated the 16th June, 1976.

(v) The Indian Administrative Service (Probation) Amendment Rules, 1976, published in Notification No. G.S.R. 903 in Gazette of India dated the 26th June, 1976.

(vi) The Indian Police Service (Probation) Second Amendment Rules, 1976, published in Notification No. G.S.R. 904 in Gazette of India dated the 26th June, 1976.

(vii) The Indian Forest Service (Probation) Second Amendment

Rules, 1976, published in Notification No. G.S.R. 905 in Gazette of India dated the 30th June, 1976.

(viii) G.S.R. 906 published in Gazette of India dated the 30th June, 1976 containing corrigendum to Notification No. G.S.R. 2228 dated the 18th August, 1975.

(ix) The Indian Forest Service Fixation of Cadre Strength of (Uttar Pradesh) Rules, 1976, published in Notification No. G.S.R. 426(E) in Gazette of India dated the 30th June, 1976.

(x) The Indian Forest Service (Fixation of Cadre Strength) Second Amendment Regulation, 1976, published in Notification No. G.S.R. 444(E) in Gazette of India dated the 6th July, 1976.

(xi) The Indian Forest Service (Pay) Second Amendment Rules, 1976, published in Notification No. G.S.R. 445(E) in Gazette of India dated the 6th July, 1976.

(xii) G.S.R. 1016 published in Gazette of India dated the 17th July, 1976 containing corrigendum to Notification No. G.S.R. 2268 dated the 7th August, 1975.

(xiii) The All India Services (Conduct) Amendment Rules, 1976, published in Notification No. G.S.R. 1017 in Gazette of India dated 17th July, 1976.

(xiv) The Indian Administrative Service (Probation) Second Amendment Rules, 1976, published in Notification No. G.S.R. 1018 in Gazette of India dated the 17th July, 1976.

(xv) The Indian Police Service (Probation) Third Amendment rules, 1976, published in Notification No. G.S.R. 1019 in Gazette of India dated the 17th July, 1976.

(xvi) The Indian Forest Service (Probation) Third Amendment Rules, 1976, published in Notification No. G.S.R. 1020 in Gazette

of India dated the 17th July, 1976.

(xvii) The Indian Administrative Service (Recruitment) Second Amendment Rules 1976, published in Notification No. G.S.R. 1022 in Gazette of India dated the 17th July, 1976.

(xviii) The Indian Police Service (Recruitment) Second Amendment Rules, 1976, published in Notification No. G.S.R. 1023 in Gazette of India dated the 17th July, 1976.

(xix) The Indian Forest Service (Recruitment) Amendment Rules, 1976, published in Notification No. G.S.R. 1024 in Gazette of India dated the 17th July, 1976.

(xx) The Indian Forest Service (Appointment by Promotion) Amendment Regulations, 1976, published in Notification No. G.S.R. 1064 in Gazette of India dated the 24th July, 1976.

(xxi) The All India Services (Leave) Amendment Rules, 1976, published in Notification No. G.S.R. 1109 in Gazette of India dated the 31st July, 1976.

(xxii) The Indian Forest Service (Fixation of Cadre Strength) Amendment Regulations, 1976, published in Notification No. G.S.R. 750(E) in Gazette of India dated the 3rd August, 1976.

(xxiii) The Indian Forest Service (Pay) Amendment Rules, 1976, published in Notification No. G.S.R. 751(E) in Gazette of India dated the 3rd August, 1976. [Placed in Library. See No. LT-10981/76]

(2) A copy of the Tamil Nadu Public Men (Criminal Misconduct) Rules, 1975, published in Notification No. S.R.O. A-63/76 in Tamil Nadu Government Gazette dated the 25th February, 1976 under sub-section (3) of section 22 of the Tamil Nadu Public Men (Criminal Misconduct) Act, 1973 read with

clause (c) (iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu.

(3) A statement (Hindi and English versions):—

(a) showing reasons for delay in laying the above Notification; and

(b) reasons for not laying the Hindi version of the Notification.

[Placed in Library. See No. LT-10982/76]

NOTIFICATIONS, COMPANIES (PROFITS) SURTAX (AMDT.) RULES 1976 & INCOME-TAX (5TH AMDT.) RULES, 1976

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table—

(1) A copy of Notification No. G.S.R. 952 (Hindi and English versions) published in Gazette of India dated the 3rd July, 1976, under section 51 of the Finance (No.2) Act, 1971. [Placed in Library. See No. LT-10983/76]

(2) A copy each of the following Notifications (Hindi and English versions) under section 38 of the Central Excises and Salt Act, 1944:—

(i) The Central Excise (Sixteenth Amendment) Rules, 1976, published in Notification No. G.S.R. 393(E) in Gazette of India dated the 9th June, 1976 together with an explanatory memorandum.

(ii) The Central Excise (Eighteenth Amendment) Rules, 1976, published in Notification No. G.S.R. 415(E) in Gazette of India dated the 19th June, 1976.

[Placed in Library. See No. LT-10984/76].

[Shri Pranab Kumar Mukherjee]

(3) A copy of the Companies (Profits) Surtax (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. S.O. 572(E) in Gazette of India dated the 28th May, 1976, under sub-section (3) of section 25 of the Companies (Profits) Surtax Act, 1964. [Placed in Library. See No. LT-10985/76]

(4) A copy of the Income-tax (Fifth Amendment) Rules, 1976, (Hindi and English versions) published in Notification No. S.O. 430(E) in Gazette of India dated the 19th June, 1976, under section 296 of the Income-tax Act, 1961. [Placed in Library. See No. LT-10986/76]

(5) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944 —

(i) G.S.R. 388(E) published in Gazette of India dated the 1st June, 1976 together with an explanatory memorandum.

(ii) G.S.R. 810 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum

(iii) G.S.R. 395(E) published in Gazette of India dated the 10th June, 1976 together with an explanatory memorandum

(iv) G.S.R. 854 published in Gazette of India dated the 12th June, 1976 together with an explanatory memorandum.

(v) G.S.R. 863 published in Gazette of India dated the 19th June, 1976 together with an explanatory memorandum.

(vi) G.S.R. 865 published in Gazette of India dated the 19th

June, 1976 together with an explanatory memorandum.

[Placed in Library. See No. LT-10987/76]

(6) A copy each of the following Notifications (Hindi and English versions) under section 189 of the Customs Act, 1962:—

(i) G.S.R. 691 published in Gazette of India dated the 22nd May, 1976 together with an explanatory memorandum.

(ii) G.S.R. 369(E) published in Gazette of India dated the 27th May, 1976 together with an explanatory memorandum.

(iii) G.S.R. 370(E) published in Gazette of India dated the 27th May, 1976 together with an explanatory memorandum

(iv) G.S.R. 753 published in Gazette of India dated the 29th May, 1976 together with an explanatory memorandum.

(v) G.S.R. 386 (E) published in Gazette of India dated the 29th May, 1976 together with an explanatory memorandum.

(vi) G.S.R. 387(E) published in Gazette of India dated the 1st June, 1976 together with an explanatory memorandum.

(vii) S.O. 1914 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum.

(viii) G.S.R. 805 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum.

(ix) G.S.R. 806 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum.

(x) G.S.R. 807 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum.

(xi) G.S.R. 808 published in Gazette of India dated the 5th June, 1976 together with an explanatory memorandum.

(xii) G.S.R. 397(E) published in Gazette of India dated the 11th June, 1976 together with an explanatory memorandum.

(xiii) G.S.R. 410(E) published in Gazette of India dated the 17th June, 1976 and G.S.R. 463(E) published in Gazette of India dated the 23rd July, 1976 together with an explanatory memorandum.

(xiv) G.S.R. 411(E) published in Gazette of India dated the 17th July, 1976 together with an explanatory memorandum.

(xv) G.S.R. 898 published in Gazette of India dated the 19th June, 1976 together with an explanatory memorandum.

(xvi) G.S.R. 433(E) and 434(E) published in Gazette of India dated the 1st July, 1976 together with an explanatory memorandum.

(xvii) G.S.R. 436(E) published in Gazette of India dated the 1st July, 1976 together with an explanatory memorandum.

(xviii) S.O. 447(E) published in Gazette of India dated the 1st July, 1976 together with an explanatory memorandum.

(xix) G.S.R. 457(E) and 458(E) published in Gazette of India dated the 16th July, 1976 together with an explanatory memorandum.

(xx) G.S.R. 1055 published in Gazette of India dated the 17th July, 1976 together with an explanatory memorandum.

(xxi) G.S.R. 464(E) published in Gazette of India dated the 22nd

July, 1976 together with an explanatory memorandum.

(xxii) G.S.R. 469(E) to G.S.R. 471(E) published in Gazette of India dated the 23rd July, 1976 together with an explanatory memorandum.

(xxiii) G.S.R. 489(E) published in Gazette of India dated the 28th July, 1976 together with an explanatory memorandum.

(xxiv) The Bill of Entry (Forms) Regulations, 1976, published in Notification No. S.O. 519(E) in Gazette of India dated the 1st August, 1976 together with an explanatory memorandum.

[Placed in Library. See No. LT-10988/76]

(7) A copy each of the following Notifications (Hindi and English versions) under sub-section (2) of section 8 read with sub-section (3) of section 7 of the Customs Tariff Act, 1975:—

(i) G.S.R. 741(E) published in Gazette of India dated the 2nd August, 1976.

(ii) G.S.R. 743(E) published in Gazette of India dated the 2nd August, 1976.

(iii) G.S.R. 745(E) published in Gazette of India dated the 2nd August, 1976.

[Placed in Library. See No. LT-10989/76]

#### RADIATION PROTECTION (AMDT.) RULES, 1976

THE MINISTER OF ENERGY (SHRI K. C. PANT): I beg to lay on the Table a copy of the Radiation Protection (Amendment) Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 756 in Gazette of India dated the 29th May, 1976, under sub-section (4) of section 30 of the Atomic Energy Act, 1962.

[Placed in Library. See No. LT-10990/76].

**COCONUT HUSK CONTROL (AMDT.) ORDER, 1976, CERTIFIED ACCOUNTS OF COIR BOARD, ERNAKULAM FOR 1973-74 AND COMMENTS OF COMPTROLLER & AUDITOR GENERAL ON THE ANNUAL REPORT OF DSIDC FOR THE PERIOD FROM 15-2-71 TO 31-3-72**

**SHRI B. P. MAURYA:** On behalf of Shri A. P. Sharma, I beg to lay on the Table—

(1) The Coconut Husk Control (Amendment) Order, 1976 (Hindi and English versions) published in Notification No. S.O. 2168 in Gazette of India dated the 26th June, 1976, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-10991/76]

(2) A copy of the Certified Accounts (Hindi and English versions) of the Coir Board, Ernakulam for the year 1973-74 and the Audit Report thereon, under sub-section (4) of section 17 of the Coir Industry Act, 1953 [Placed in Library. See No. LT-10992/76]

(3) A copy of the Comments (Hindi and English versions) of the Comptroller and Auditor General on the Annual Report of the Delhi Small Industries Development Corporation Limited, Delhi for the period from 15-2-71 to 31-3-72, under sub-section (1) of section 619A of the Companies Act, 1956. [Placed in Library. See No. LT-10993/76].

**NOTIFICATIONS UNDER TAMIL NADU PAYMENT OF SALARIES ACT, 1951 AND A STATEMENT**

**THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN):** I beg to lay on the Table—

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 14 of the Tamil Nadu Payment of Salaries Act, 1951 read with

clause (c)(iv) of the Proclamation dated the 31st January, 1976 issued by the President in relation to the State of Tamil Nadu:—

(i) S.R.O. A-444/76 published in Tamil Nadu Government Gazette dated the 22nd October, 1976 making certain amendment to the Tamil Nadu Ministers' Travelling Allowance Rules, 1951.

(ii) S.R.O. A-445/75 published in Tamil Nadu Government Gazette dated the 22nd October, 1975 making certain amendment to the Tamil Nadu Legislature Travelling Allowance Rules, 1955.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notifications.

[Placed in Library. See No. LT-10994/76]

**NOTIFICATIONS UNDER NAVY ACT, 1957**

**THE DEPUTY MINISTER IN THE MINISTRY OF DEFENCE (SHRI J. B. PATNAIK):** (1) I beg to relay on the Table a copy each of the following Notifications (Hindi and English versions) under section 185 of the Navy Act, 1957.—

(i) The Navy (Pension) First Amendment Regulations, 1976 published in Notification No. S.R.O. 98 in Gazette of India dated the 1st May, 1976. [Placed in Library. See No. LT-10840/76].

(ii) The Navy Leave (Second Amendment) Regulations, 1976, published in Notification No. S.R.O. 100 in Gazette of India dated the 1st May, 1976.

(iii) The Navy (Pension) Second Amendment Regulations, 1976, published in Notification No. S.R.O. 108 in Gazette of India dated the 8th May, 1976.

(iv) The Navy (Pension) Third Amendment Regulations, 1976, published in Notification No. S.R.O.

109 in Gazette of India dated the 8th May, 1976.

(v) The Navy (Pension) Fourth Amendment Regulation, 1976, published in Notification No. S.R.O. 114 in Gazette of India dated the 8th May, 1976.

[Placed in Library. See No. LT-10875/76].

(2) I beg to lay on the Table a copy each of the following Notifications (Hindi and English versions) under section 186 of the Navy Act, 1957:—

(i) The Navy (Pension) Fifth Amendment Regulations, 1976, published in Notification No. S.R.O. 180 in Gazette of India dated the 17th July, 1976.

(ii) The Navy (Pension) Sixth Amendment Regulations, 1976, published in Notification No. S.R.O. 181 in Gazette of India dated the 17th July, 1976.

(iii) The Navy (Pension) Seventh Amendment Regulations, 1976, published in Notification No. S.R.O. 189 in Gazette of India dated the 31st July, 1976.

(iv) The Navy (Pension) Eighth Amendment Regulations, 1976, published in Notification No. S.R.O. 190 in Gazette of India dated the 31st July, 1976.

[Placed in Library. See No. LT-10996/76].

#### REVIEW AND ANNUAL REPORT OF BHARAT COKING COAL LTD., FOR THE YEAR 1974-75

ऊर्जा मंत्रालय में उप मंत्री (प्रो.) सिद्धेश्वर प्रसाद: अध्यक्ष महोदय, मैं कम्पनी अधिनियम, 1956 की धारा 619 क की उपधारा (1) के अन्वये निम्न लिखित पत्रों (हिन्दी तथा अंग्रेजी संस्करण) की एक-एक प्रति मन्त्रालय पर रखता हूँ

(1) भारत कोकिंग कोल लिमिटेड के वर्ष 1974-75 के कार्य-रण की सरकार द्वारा समीक्षा।

(2) भारत कोकिंग कोल लिमिटेड का वार्षिक 1974-75 का वार्षिक प्रतिवेदन, लेखा पराक्षित लेख तथा उन पर नियंत्रक महालेखा परीक्षक की टिप्पणियाँ।

[Placed in Library. See No. LT-10997/76].

12.91 hrs.

#### PARLIAMENTARY COMMITTEES SUMMARY OF WORK

SECRETARY-GENERAL: I beg to lay on the Table a copy of the 'Parliamentary Committees—Summary of Work' pertaining to the period 1st June, 1975 to 31st May 1976.

12.14 hrs.

#### MESSAGE FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following message received from the Secretary-General of Rajya Sabha:—

'I am directed to inform the Lok Sabha that the Rajya Sabha at its sitting held on Tuesday, the 10th August, 1976, adopted the following motion in regard to the Joint Committee on the Constitution (Thirty-second Amendment) Bill, 1973:—

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do appoint nine members of the Rajya Sabha to the Joint Committee of the Houses on the Constitution (Thirty-second Amendment) Bill, 1973, in the vacancies caused by the retirement of Sarvashri Bhupesh Gupta, Roshan Lal, V. B. Raju, Mulka Govinda Reddy, Lal K. Advani, K. Chandrasekharan, S. K. Ganguli, Om Mehta and Shrimati Aziza Imam from the membership of the

**[Secretary-General]**

Rajya Sabha on the 2nd April, 1976, and resolves that Sarvaswari Bhupesh Gupta, Roshan Lal, V. B. Raju, Mulka, Govinda Reddy, Virendra Kumar Sakhelecha, S. N. Mulla, A. R. Antulay, Om Mehta and Shrimati Aziza Imam, Members of the Rajya Sabha, be appointed to the said Joint Committee to fill the vacancies.

12.02 hrs.

**ASSENT TO BILLS**

**SECRETARY-GENERAL:** Sir, I lay on the Table following thirteen Bills passed by the Houses of Parliament during the last session and assented to since a report was last made to the House on the 27th May, 1976:—

- (1) The Finance Bill, 1976.
- (2) The Marriage Laws (Amendment) Bill, 1976.
- (3) The Merchant Shipping (Amendment) Bill, 1976.
- (4) The Pharmacy (Amendment) Bill, 1976.
- (5) The Tariff Commission (Repeal) Bill, 1976.
- (6) The Coal Mines (Nationalisation) Amendment Bill, 1976.
- (7) The Constitution (Fortieth Amendment) Bill, 1976.
- (8) The Life Insurance Corporation (Modification of Settlements) Bill, 1976.
- (9) The Banking and Public Financial Institutions Laws (Amendment) Bill, 1976.
- (10) The Additional Emoluments (Compulsory Deposit) Amendment Bill, 1976.
- (11) The Tea (Amendment) Bill, 1976.
- (12) The National Library of India Bill, 1976.
- (13) The Disturbed Areas (Special Courts) Bill, 1976.

12.03 hrs.

**COMMITTEE ON PETITIONS****THIRTY-SECOND REPORT**

**SHRI BIBHUTI MISHRA** (Motihari): I beg to present the Thirty-second Report of the Committee on Petitions.

12.34 hrs.

**ELECTION TO COMMITTEE****COMMITTEE ON OFFICIAL LANGUAGE**

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** I beg to move the following —

"That in pursuance of sub-section (2) of Section 4 of the Official Languages Act, 1963, the members of Lok Sabha do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, two members from amongst themselves to be members of the Committee on Official Language *vice* Sarvaswari Bhagwat Jha Azad and M. C. Daga resigned from the Committee."

**MR. SPEAKER.** The question is:

"That in pursuance of sub-section (2) of section 4 of the Official Languages Act, 1963, the members of Lok Sabha do proceed to elect, in accordance with the system of proportional representation by means of the single transferable vote, two members from amongst themselves to be members of the Committee on Official Language *vice* Sarvaswari Bhagwat Jha Azad and M. C. Daga resigned from the Committee."

*The motion was adopted.*



19.05.1998

# MOTION RE: NATIONAL POLICY FOR CHILDREN—Contd.

MR. SPEAKER: Now we take up further consideration of the motion regarding the National Policy for Children. The Minister to continue his speech.

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURAL HASAN): Yesterday I expressed my gratitude to the hon. Members for the keen interest they had taken in the whole matter and for the many valuable suggestions they have made. Unfortunately, in the limited time at my disposal I will not be able to refer to every point which has been raised by the hon. Members, but I can assure the House through you that all the suggestions which have been made will be given full consideration by the Government.

I would like to take up some common points which have been stressed by a very large number of my hon. friends here. The first point that has been stressed by a very large number of members deals with the question of the care of expectant mothers and the care and particularly, the nutritional care of smaller children upto the age of 8. There is no doubt that this is the most important period in the life of any human being and any lack of effort in this age group can have very serious consequences when the child grows into adulthood. For this purpose, my Ministry in close collaboration with the Ministry of Health, the Ministry of Agriculture and Rural Development, the Department of Co-operation and obviously, with the co-operation of the State Governments, has started the integrated child development services which aim at all these points that have been emphasised.

The concept of integrated child development services has been explained by us before, but, I would crave your indulgence to explain again in a few minutes the main

concept of the integrated child development services. It starts with the question of nutrition and health care of expectant mothers and the ante-natal care of the mother and the child. Then, there is a full-fledged programme of immunisation, which certainly includes the triple vaccines, which has been raised by my hon. friend there. Along with this there is the question of regular health check up, referral services, nutrition, supplementing the nutrition and the diet, and pre-school, non-formal and informal education. We consider it absolutely essential that children of the age group 3-6 and particularly those belonging to the weaker sections of the community should be provided that such care so that they can develop proper attitudes and motivations and also their character formation is influenced in a healthy direction. And, for this purpose, we propose under this scheme of integrated child development to set up *anganwadis* as far as possible in close proximity of a primary school, to involve elder children of the primary schools, especially, girls, to participate in the looking after of the younger babies as a part of their work experience.

It would provide them with adequate training to learn about how to look after children and younger babies. It would also provide assistance to the *anganwadi* workers and a full-fledged training programme of the *anganwadi* workers has been undertaken. Because this was a new scheme and because it involved the cooperation of a very large number of agencies it was felt that let the modalities be worked out in a small number of blocks and we have chosen 33 blocks; 19 of these are rural blocks; 10 are in tribal areas and 4 in urban slums. This programme is being tried out and Government would like to expand this scheme to a very large number of other blocks so that we are able to cover hopefully by the Sixth plan period every block in the country. This is an important scheme whereby the problems of the rural



[Prof. S. Nural Hasan]

children and the children belonging to the weaker sections of the community would be looked after from the point of view of health, from the point of view of immunisation and from the point of view of what may be called pre-school education or attitude formation and so on. This programme, I am glad to say, has evoked proper response from all the Ministries of the Govt. of India and most of the State Governments. But we felt that an independent agency to monitor this scheme would be extremely useful. For this purpose we invited the medical colleges and I am glad to say that 27 medical colleges have responded to our invitation. The All India Institute of Medical Sciences in New Delhi is coordinating the work that is being done by the medical colleges for preparing the base-line data about nutrition, about the general health of children and of expectant mothers and so on. It would also be supervising the implementation of the scheme in other respects so that along with the administrative set-up which is looking after this programme there is also an independent organisation which can monitor and which can provide expert guidance for the implementation of this particular programme.

We have also insisted that in each village there should be Mahila Mandals formed because, without involvement of the women of the villages and the localities concerned no worthwhile programme for children is likely to succeed.

Sir, the progress so far in this regard has been on the whole satisfactory, although I would like greater emphasis being placed by the State Government on the setting up of Mahila Mandals in each of the villages. I am in touch with the State Governments and I am hoping that the pace of setting up of the Mahila Mandals will catch up as soon as possible.

The Ministry of Health has a scheme of ensuring that over a number of villages there should be at least one auxiliary nursing midwife and that programme of auxiliary nursing midwife is being run by the Health Ministry in cooperation and coordination with my Ministry so that the integrated child development services are being developed with the supervision of the Primary Health Centres and sub-centres. We are giving one additional doctor to the primary health centre especially to look after the children. Skeleton staff has been provided so that this programme can be taken up. In the light of our experience and in the light of the reports we get from this continuous monitoring, whatever changes are called for, I have no doubt that it will be possible for the Government to make those changes. We are not rushing ahead with these programmes because to ensure cooperation from so many agencies is a difficult task and we need to have experience so that detailed procedures can be worked out which can then be duplicated or replicated on a mass service scale throughout the country.

The second very important point that was taken up was with regard to education, especially, elementary education, of children. In respect of elementary education, I would like to submit that I am deeply disappointed and I share the disappointment of hon. Members that what we should have achieved by 1980 we are not likely to achieve even by the end of Fifth Plan period. Perhaps, we might be able to achieve it during the Sixth Plan period.

But, Sir, without offering any excuses, I would make a few submissions for the consideration of the hon. House. The submission is the enormous increase in the number of pupils who have started going to the primary schools, particularly, in the age-group of 6 to 11 in classes I to V. If I may, with your permission, give a few figures, the target for 1974-75,

the first year of the Fifth Five Year Plan, for the country was 664 lakhs which would be 86.4 per cent of the children in the age-group of 6-11. The actual achievement is estimated at 663 lakhs which is 86 per cent in 1975-76, the target fixed was 688 lakhs and the achievement is estimated to be 685 lakhs which is 87.8 per cent. The targets for the current year are 708 lakhs while the achievement is estimated to be 89.9 per cent. What I am trying to submit is that the net increase in numbers is appreciable although in terms of percentages, from 86 per cent we are hoping this year to reach 89.9 per cent.

As I would submit, I do not consider this to be a satisfactory figure, but considering the various difficulties which are mainly economic, partly social, I would respectfully submit for your consideration that this is not an achievement which we can reject as being totally unsatisfactory. Of course, more efforts have to be made and these include changes in a number of directions. The first and foremost of these changes is providing better incentives, because it has been noticed that the main shortfall is among girls and Scheduled Caste and Scheduled Tribe children. Therefore, my Ministry has been striving its best to have Schemes which will ensure that these deprived sections are able to send their children to schools. The incentives which are very important have been provided in the case of girls. Frequently girls have to look after Younger babies. Because of the scheme of *anganwadis* we hope it would be possible for girls to come to school because the babies can also be brought to the *anganwadis* which will be attached to the school. In many places, it has already been attached and is functioning.

It has further been stated that adequate funds are not being provided for these various incentives, specially the midday meal.

SHRI D. BASUMATARI (Kokrajhar): It should be provided.

PROF. S. NURUL HASAN: It should be provided.

The incentives are being provided as part of the minimum needs programme, and I hope that State Governments will provide the necessary funds in their programme and ensure that the incentives programme for the weaker sections are not given up or whittled down or reduced.

For the tribal areas, as the House is aware, tribal sub-plans are being made and every effort is being made to bring tribal children to school.

SHRI R. S. PANDEY (Rajnandgaon): It should be a Central scheme, instead of asking the States to provide the money. Where from will they get the money? When you have not got the money, States are not going to have it. Ultimately it is a question of money.

SHRI D. BASUMATARI: It is so in backward States like Madhya Pradesh and others.

SHRI R. S. PANDEY: In Assam, and Bihar also.

PROF. S. NURUL HASAN: I am told that the Home Ministry is satisfied that funds will be made available for all tribal sub-plans, that they would not allow a shortfall in the allocations for the programme of tribal sub-plans.

Then it was again rightly emphasised that apart from nutrition, the physical health of children and physical education of children has to be given a very high priority. Government agree fully with this concept, and I am glad—I have myself had the occasion to see it—in the Union Territory of Delhi, the Delhi Municipal Corporation have launched a scheme of providing special training to their regular teachers so that they can provide physical education and training in games and sports for the children. Only two days ago I had occasion to see some of the items presented by

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over a thousand school teachers who had been given special training in physical education and culture.

Regarding the quality of education being provided in the municipal schools or in the primary schools in the villages, I should only submit that efforts are being continuously made to improve the standard of education and teaching. From some of the schools that I have visited in the rural areas in different parts of the country, I should not like to paint such a bleak picture as some of the hon. friends have painted here. In fact the standard of education in many of those schools is reasonably good. There are naturally difficulties in the problem of dealing with children who are first generation learners, the problem of dealing with all the prejudices that exist in our rural society. All those problems are every much there. But then to pass a wholesale vote of censure on the village schools or on the schools run by municipal committees or corporations is, I would submit, unfair....(Interruptions). Some are good, some are not so good and some are bad. It is a mixed picture. But as I said an effort is being made to improve the quality of education by various methods that are being adopted, including the method of in service training of teachers.

I am glad that when I am coming to the next problem, my distinguished colleague and friend and in some ways mentor, Prof VKRV Rao is present here. This is in regard to children's literature. Government entirely agree with the view that children's literature has to be given very high priority both for ensuring that children do not lapse back into illiteracy and for non-formal education and developing the right attitude and approach to life. Therefore, we are taking up this problem in right earnest internally and we also propose to raise this matter at the forthcoming general conference of UN-

ESCO because the standard of children's books in many of the countries outside ours is higher than ours. I have no hesitation in learning from any country if there is something to learn for the sake of children. In some cases we may have something to offer. So this international co-operation is likely to be beneficial to everyone. I hope that the resolution which the Indian delegation proposes to sponsor at the forthcoming general conference will receive general support and acclaim.

The next point that has been raised is in regard to the question of beggary. In respect of beggary our attitude is that while we recognise that socio-economic factors at times are responsible for children begging in the streets, there is at the same time a racket going on; there are people who deliberately kidnap children or entice them away under one excuse or another; maim them and compel them to beg and as was rightly pointed out by an hon. friend here, whatever money they get, they are not permitted even to eat a squaremeal out of the money that they get.

They have to give all the money that they have secured as a result of begging to the person who makes them beg. This is exploitation of the children in the crudest form and there can be no question of sparing those who do it. Therefore, the laws are being looked into to see that any exploitation of children in this manner is put down with a very heavy hand. I do not think it would be fair to say that even half the children who go and beg are the children who are doing it because they have not had a square meal and therefore, they do not know what else to do except to beg. There are children who are forced by economic circumstances, but we must adopt a differential attitude towards them.

In the same way, there is the question of juvenile delinquency and crime. Again it has been found by many social surveys that a large number of juvenile delinquents take to crime because organised crime gangs exploit

these children and utilise them and even train them for the purpose of committing crimes. There again there should be no mercy shown to such persons who exploit the children in this way.

AN HON. MEMBER: Films are equally responsible.

PROF. S. NURUL HASAN: I would accept the superior knowledge of my hon. friend; unfortunately I am not one of the film-goers and I cannot speak from personal knowledge. But side by side with this, the government have initiated a fairly ambitious programme of assisting voluntary organisations to set up homes for destitute children, so that destitute children are not compelled to take to either begging or a life of crime. The scheme was started in 1974-76. In the first two years, grants have been given to 245 voluntary organisations benefiting about 16,000 children. The total amount of grants disbursed is Rs. 208.20 lakhs. Also with a view to take care of children whose mothers are going to work or are ailing, grants are given to voluntary organisations to run creches. In 1975-76, 52 voluntary organisations had been sanctioned grants for 741 creches covering 18,525 beneficiaries. The amount released was Rs. 28.83 lakhs.

Hon. members have rightly expressed concern about exploitation of child labour. An inter-departmental working group on employment of children was set up by the government and its report is expected shortly. A national seminar on employment of child labour was also organised by the National Institute of Public Cooperation and child development. The recommendations of the seminar have been studied by the said working group. This National Institute has also taken up the study of child labour in metropolitan cities. The working group's report on the findings of the study undertaken by the National Institute will help to identify the lines on which further action should be taken.

I would like further to submit for your consideration that, as my colleague, the Deputy Minister, stated

in his introductory speech, social welfare is something which cannot be done only through governmental effort. More than any other such effort, it needs voluntary effort of public-spirited persons. I would not like to minimise the role which public-spirited persons, voluntary organisations, and society in general, can play in bringing about any measure of social service and social welfare. Government's duty should be to provide help and assistance to the extent possible.

I have expressed my disappointment at the fact that the funds that are available are inadequate to meet the needs and the requirements of all the voluntary organisations that exist. But I would also like to say that, considering the overall constraint on resources, funds have been provided for at least the more important of the schemes. But what we are noticing is that, whereas in the developed parts of the country there are good voluntary organisations, there are many other parts of the country which, unfortunately, have lagged behind, where voluntary organisations are not forthcoming. In several of the schemes of my Ministry I have noticed that the most developed metropolitan cities have been submitting excellent schemes, but there are vast areas from where no worthwhile schemes come, or very few worthwhile schemes come. Even within a State there are proposals coming from the more developed parts of the State, but from the comparatively lesser developed parts, proposals for assistance do not come to us. This certainly is a matter of great concern, not only to the Government but, I have no doubt, it would be equally so to the House. I would appeal to my hon. friends, the Members of the House, that they might take a special interest in this matter and motivate public-spirited persons who, I am sure are spread in all parts of the country, to organise themselves and to organise voluntary effort.

I can well understand that in some of the economically less developed parts

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of the country voluntary organisations may not be able to raise enough money. But money is not the only thing. We have been modifying and changing our rules and our Grant Code so that the involvement of local funds is reduced to the minimum. But, what is more important than local funds is the coming forward of public-spirited persons, specially ladies, in taking up programmes of welfare, especially of the children.

In this connection, I would briefly mention the family and child welfare scheme, which was started during the Fourth Plan period by the Central Social Welfare Board, which in this Plan has been transferred to the State Governments. Some State Governments have not been able to find adequate resources to develop and to run these schemes properly. I have appealed to all the State Governments, including the Chief Ministers and the Ministers of Social Welfare, to make special efforts to see that whatever programmes have been started are continued.

One or two specific points were raised. One was that the special nutrition centres in Delhi were not looking after the poorer sections and that there was leakage of funds. We have already taken steps to see that the leakage is stopped, and we have asked the National Institute to undertake another survey to find out how far the remedial steps have been effective.

If there are any specific complaints that the mid-day meal programme in primary schools is not being implemented properly, I hope they would either be brought to the notice of the State Government or to my Ministry, and we will try to see that these programmes are re-structured and that due care is taken to see that the food reaches the children.

Because of a reduction in the allocation for my Ministry, we have even approached some foreign agencies,

particularly the UNICEF and CARE to provide us with assistance so that this very important programme does not suffer in any way.

Lastly, I would like to reiterate the importance of the National Children's Board which has been set up to oversee and review the implementation, to find out what the gaps are, whether work is going on as scheduled, whether it can be intensified or not etc. This National Children's Board is under the chairmanship of our Prime Minister herself. The House would recall that in 1969 the Prime Minister made a special reference to a charter for children. Even before that her public activities started with the care of children. The Indian Council of Child Welfare owes so much to the initiative which the Prime Minister herself has taken in this particular matter, under the chairmanship of the Prime Minister is naturally a very important step, but the particular interest of our Prime Minister in children's welfare gives it added strength, and I am sure that her vision would be available to guide the functioning of the National Children's Board. State Boards have similarly been established in a number of States under the chairmanship of the Chief Ministers concerned, and I am trying to see that in the rest of the States where such Boards have not been established, it is done soon so that there is full co-ordination between the National Board and the State Boards. After all we have to remember the fact that ours is a federal set-up and that the State Governments have to be the implementing agencies of all these programmes. The executive machinery is with them, and rightly so, and the Centre cannot hope to make any scheme successful unless the State Governments offer their fullest support and co-operation.

I would like to conclude by again expressing my gratitude to all sections of the House for the support they have given to the National Policy for Children.

12.45 hrs.

**DELHI AGRICULTURAL PRODUCE MARKETING (REGULATION) BILL**

MR. SPEAKER: Now, we take up the Delhi Agricultural Produce Marketing (Regulation) Bill. Shri Shahnawaz Khan. The time recommended is one hour. If the House agrees, we accept this time....

SHRI M. C. DAGA (Pali): One hour is not sufficient. This is a very important Bill. There are so many clauses.

MR. SPEAKER: We shall see as we progress. If necessary, the time can be extended.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): I beg to move:\*

"That the Bill to provide for the better regulation of the purchase, sale, storage and processing of agricultural produce and the establishment of markets for agricultural produce in the Union Territory of Delhi and for matters connected therewith or incidental thereto, be taken into consideration."

The Bombay Agricultural Produce Markets Act, 1939, was extended to the Union Territory of Delhi in the year 1957 and has been in force since then. Under the provisions of this Act only three markets, namely, Neral, Najafgarh and Zakhira have so far been regulated. There are nine other markets in the Union Territory of Delhi which are yet to be regulated. Certain practical and technical difficulties have come in the way of regulation. Now these are proposed to be overcome by repealing the present Act and enacting the proposed legislation. It may be mentioned that, in Maharashtra itself, the Bombay Agricultural Produce Markets Act, 1939, has been replaced by the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963. Some of the difficulties which came in the way of regulation of markets are:

(i) Section 6(1) of the existing Act provides for representation of the agriculturists on Market Committee. In the Union Territory of Delhi, in some markets, produce comes from outside the Union Territory and those commodities are not produced in Delhi. Provision has, therefore, been made for giving representation to agriculturists from neighbouring States on the Market Committee through nomination by the Lt.-Governor.

(ii) Section 3 of the existing Act requires consultation with the concerned municipality for including any area under it in the area of regulated market. This causes delay in regulation of markets. The proposed Bill dispenses with consultation with the local authorities at the time of declaring any area to be a market area.

(iii) In the existing Act there is no provision to safeguard the interests of urban consumers. It has, therefore, been provided in the Bill that there will be two members on the Agricultural Marketing Board and Market Committee to represent the interests of the consumers, one of whom will be a member of the Metropolitan Council; the other member will be nominated by the Lt.-Governor.

Certain other provisions which are also considered necessary for the regulation of agricultural produce markets in the Union Territory of Delhi have been made in the Bill. Some of these are:

(1) The Lt.-Governor shall establish a Board to be known as Delhi Agricultural Marketing Board to exercise superintendence and control over the Market Committees.

(2) The Lt.-Governor has been empowered to establish separate market and Market Committee for specialised commodities in any area.

\*Moved with the recommendation of the President.



[Shri Shah Nawaz Khan]

(3) In order to settle disputes between the buyers and sellers, a provision has been made for appointing arbitrators or constituting a Sub-Committee of the Market Committee.

(4) Provision has been made for initiating legal action in case of refusal to hand over charge by the outgoing Chairman or Vice-Chairman to the new Chairman or Vice-Chairman.

(5) Special powers are given to the Board constituted under the Act or any officer authorised by it to enquire into the affairs of a Market Committee, to inspect the accounts and office and for seizure of account books and other documents.

It has also been provided that the Board will constitute a fund, with the moneys received by it from the Government and the Market Committees, for the better marketing of agricultural produce, grading and standardisation of agricultural produce, and general improvement of the markets.

The penalty for contravening the provisions of the Bill is more severe than that provided in the existing Act.

Provision has also been made that amounts due to the Board or the Market Committee or agriculturists could be recovered as arrears of land revenue.

Considering the difficulties which were coming in the way of regulation of markets under the existing Act, it was felt necessary to replace it by another more suitable Act. Provisions in the new Bill, some of which have been mentioned, have been made to overcome these very difficulties and to meet the requirements of the special situation in which the Union Territory is placed. It is hoped that

the new Act, when it comes into force, will go a long way in the smooth development and regulation of markets and thereby in promotion of the marketing of agricultural produce in the Union Territory of Delhi.

Sir, I move.

MR. SPEAKER: Motion moved:

"That the Bill to provide for the better regulation of the purchase, sale, storage and processing of agricultural produce and the establishment of markets for agricultural produce in the Union Territory of Delhi and for matters connected therewith or incidental thereto, be taken into consideration."

Now, Shri Krishna Chandra Halder.

\*SHRI KRISHNA CHANDRA HALDER (Ausgram): Mr. Speaker, Sir, the Delhi Agricultural Produce Marketing (Regulation) Bill, 1976 has been brought forth by the hon. Minister Shri Shah Nawaz Khan to replace the Bombay Agricultural Produce Markets Act, 1939, under which the marketing of agricultural produce was regulated in the Union Territory of Delhi so far. It has been said that the Bombay Act was found inadequate in the context of the changing socio-economic pattern and present-day requirements in the matter of marketing agricultural produce in the territory of Delhi. The present Bill seeks to protect the interests of the consumers in Delhi and to supply them with various agricultural products at a fair and reasonable price, to ensure correct weighing of the products mentioned in the schedule to this Bill, etc. The Bill provides for the establishment of an Agricultural Marketing Board, consisting of a Chairman and twelve other members both official and non-official. The Board will regulate and supervise the

\*The original speech was delivered in Bengali.

activities of the Market Committees constituted under the Bill. Special Marketing Committees can also be constituted in specific areas to regulate and facilitate the exchange of goods. They have been empowered to levy a fee of 1.50 per cent. I suggest that this levy may be reduced to 1 per cent only. We have to see that the interests of both the farmers and the consumers are protected. Only yesterday, during the discussion on the Calling Attention Notice, attention was focussed on the trend of rising prices of all essential commodities all over the country, despite the 'emergency' and the much publicised 20-point programme. The prices are going up mainly because of the activities of the middlemen, the agents and the hoarders. It is surprising that tomato is selling at Rs 3 a kilo. If the activities of the hoarders and the brokers can be controlled, it will benefit both the producers as well as the consumers. Sir, in spite of a bumper crop the prices of potatoes and onions have gone up. In U.P. potatoes were selling at Rs 8/9 a maund when fresh crops came in the market. Similarly in West Bengal the price was Rs. 18/19 a maund. But soon after all the potato went in the cold storages and the consumer price went up in the market. The cold storage owners bought up all the storage space in 'benami' and cornered all the crops. Both the producers and the consumers had to suffer. Some time back onions and potatoes were being exported, now the export has been stopped but even then domestic price is rising. I am afraid that there is going to be lot of bureaucratic bungling which will nullify all the steps taken by the Government. Unless bureaucratic bungling is stopped neither the producers nor the consumers can be benefited. The Government introduced fast goods trains to bring fruits and vegetable products from Jammu and Kashmir and Himachal Pradesh to Delhi. There was a glut of apples in Himachal Pradesh but the consumers of Delhi did

not benefit in any way as all these products went in the cold storages and the consumer price remained as high as before. The producers got a very low price for their products and the consumers paid a high price. Only the cold storage owners and the brokers benefited from the bumper crops. The consumers of Delhi comprise mostly of Government employees with a fixed income and labourers and wage earners although there are some affluent people. They are at the mercy of these unscrupulous traders. Their activities must be checked. The cold storages have become the centres of hoarding. Strict vigilance must be kept on their workings. Surely some bureaucrats are patronising them. Any number of Marketing Boards and Marketing Committees will give the desirable results unless the bureaucratic bungling is checked.

MR. SPEAKER: The hon. Member may continue his speech after lunch.

The House stands adjourned for lunch to meet again at 2 O'clock

13.01 hrs.

*The Lok Sabha adjourned for Lunch till Fourteen of the Clock*

*The Lok Sabha re-assembled after Lunch at Fourteen of the Clock.*

[MR. DEPUTY-SPEAKER in the Chair]

**DELHI AGRICULTURAL PRODUCE MARKETING (REGULATION) BILL**  
—Contd.

MR. DEPUTY-SPEAKER: Shri K. C. Halder. You may continue with your speech.

SHRI KRISHNA CHANDRA HALDER (Ausgram): Sir, I was saying that the Marketing Committees should make direct purchase from the producers and arrange for their proper storage. Under their supervision the goods may be sold to the consumers at fair price. It has been provided in the Bill that in those areas where



[Sri Krishna Chandra Halder]

there is no agricultural produce these commodities can be brought for sale by the farmers of the neighbouring States like Himachal Pradesh, Rajasthan, Haryana, U.P., etc. and that the farmers of those areas will also get a representation on the marketing committees. Here I will suggest that separate markets may be earmarked for this purpose and proper storage facilities may be provided therein. A fair and remunerative price should be paid to those farmers and special care should be taken to see that farmers coming from the neighbouring States are not exploited by brokers, middlemen, etc. If proper coordination is achieved among these markets in various zones that will benefit the producers as well as the consumers. The Marketing Boards and Committees have got powers to inspect the various stores. That power must be frequently exercised to see that no hoarding takes place and there is no exploitation. There is provision in the Bill for punishing the Chairman and Vice-Chairman if they refuse to hand over charge to their successors. Similar penal provision should be there for the dishonest traders, middlemen, etc. One reason for the rise in prices of fruits and vegetables in Delhi is the shifting of the vegetable market at a far off place. The small traders find it difficult to go to that far off place and bring fruits and vegetables to earn their livelihood. These small traders may be given financial assistance and facilities for their rehabilitation may be provided. Regarding marketing, Sir, I heard that there is a scheme of UN assistance. I would like to know what initiative has been taken by the Ministry to get this U.N. assistance. There are detailed provisions in the Bill regarding the appointment of the Boards and Committees, their powers and duties, etc. I do not have so much time to go into the details. I will again stress that proper check may be exercised on bureaucratic bungling which is likely to nullify all these measures. I

will conclude by saying that the staff employed on these Boards and Committees should be properly looked after. They must be given a living wage and legitimate trade union rights. I think there is provision for pension to the staff after retirement. They also should be given usual leave facilities. A great responsibility rests upon them and they must work under satisfactory conditions. I hope that after this Bill becomes law the consumers will get things at a lower price and the producers will also get a fair and remunerative price for their labours.

सरदार स्वयं सिंह सोनी (जमशेदपुर) डिप्टी स्पीकर महोदय, यह जो बिल लाया गया है यह पब्लिक की भलाई के लिये बहुत अच्छा बिल है। जैसा मंत्री जी ने बताया इस बिल में 3 मार्केट्स को ही रखा है। अभी 9 मार्केट्स को इन्होंने इस बिल में नहीं रखा है। मैं जानना चाहता हूँ कि इन को इस में जोड़ने में क्या दिक्कत है?

दूसरी बात यह जानना चाहता हूँ कि बोम्बे एग्रीकल्चरल प्रोड्यूस मार्केटिंग ऐक्ट, 1939 जिस वजह से दिल्ली में नोकामयाब हो गया और यह बिल क्यों लाना पड़ा इस को मंत्री महोदय बतायें। बोम्बे में जो ऐक्ट लागू है क्या उस को भी आप को बदलना पड़ेगा? इन बातों की जानकारी मंत्री जी दें तो अच्छा होगा। मैं मंत्री जी से कहूँगा कि जो बड़े बड़े शहर हैं, जैसे कलकत्ता, मद्रास उन में भी ऐसे ऐक्ट लागू करने चाहिये ताकि जो समस्याएँ यहाँ पर भी वैसे वहाँ पर भी होंगी उन को भी दूर किया जा सके। इस बारे में आप को जल्दी से जल्दी इतजाम करना चाहिये।

सबैयर्स के अप्पॉइंटमेंट के बारे में मेरा निवेदन है कि यह काम से कम आई० ए० एस० रैंक के हो जिस से कंट्रोल न बड़े। और जो इनको बोर्डार्ड मार्केट्स खोलीं

दिल्ली में चल रहे हैं उनके बारे में सरकार की क्या राय है यह भी मंत्री महोदय बतायें। इसी प्रकार रेजीडेंशियल एरिया में जहाँ 500 आदमी रहते हैं वहाँ एक मार्केट जरूर होनी चाहिये। जैसे हम सीमा भाग में रहते हैं और आदमी जाता है आजादपुर सब्जी लेने के लिए जिस की वजह से ओवरहेड ऐक्सपेंसेज काफी बढ़ जाते हैं और 80 पैसे किचो वाला भालू 1.20 पैसे में मिलता है। तो यह जो इतनी दूर दूर मार्केट रखे हैं यह ठीक नहीं है, इस का नाजायज फायदा हाकर्स उठाते हैं। हमलिये इस बारे में भी ध्यान को कुछ विचार करना चाहिये।

बोर्ड के मेम्बरों के अप्पॉइंटमेंट के बारे में धाप ने क्लॉज 5(बी)(1) में लिखा है

"Two agriculturists being members of Market Committees"

तो यह दो ऐग्रिकल्चरिस्ट जो होंगे यह कौन लोग होंगे। क्या यह प्राफिशियल्स होंगे? इन की बढती कैने की आयगी, यह भी जरा धाप बतायें।

क्लॉज (3) में लिखा हुआ है :

"One progressive agriculturist of Delhi".

यह कौन होंगे? क्या यह वही बड़े बड़े फार्मर्स होंगे जिन के मटरीली के घास पास फार्मर्स हैं, या दिल्ली के प्रोग्रेसिव फार्मर्स होंगे इस बोर्ड में?

हम देखते हैं कि जिन लोगों के बड़े बड़े फार्म होते हैं, वे प्रोग्रेसिव फार्मर बन जाते हैं। जरूरत इस बात की है कि जो फार्मर खुद टिल करता है, उस को रखा जाये, ताकि कुछ खेती करने वाले किसानों को प्रोत्साहन मिले।

1303 LS-7.

मेम्बरों के बारे में कहा गया है कि कानज्यूमर्स के इन्ट्रेस्ट्स को रिप्रेजेंट करने वाले दो मेम्बर रखे जायेंगे, जिन में से एक मेम्बर दिल्ली मेट्रोपालिटन काउंसिल का मेम्बर होगा। मैं राय दूंगा कि मेट्रोपालिटन काउंसिल के एक मेम्बर के अलावा एक लोकल मेम्बर आफ दि पालियामेंट को रखा जाये, ताकि पालियामेंट उस में रिप्रेजेंट हो सके।

बोर्ड को बहुत बड़ पार्वज दे दी गई हैं। जितनी पार्वज ज्यादा होंगी, कर्प्शन के कांसिज भी उनसे ही ज्यादा होंगे। जैसे, मीसा में पुलिस को बहुत पार्वज दे दी गई हैं, जबकि पुलिस को बैंक करना बहुत मुश्किल है। इस लिए बोर्ड की पार्वज को लिमिट कर दिया जाये। उस को बहुत पार्वज देने से कई दुश्वारियां होंगी।

क्लॉज 64 में मंडब आफ रेक्यूमेंट की बात कही गई है। यहां पर शिड्यूल ट्राइब्ज के लोग तो हैं नहीं, लेकिन शिड्यूल कास्ट्स के लोग बहुत हैं। इस लिए रेक्यूमेंट में शिड्यूल कास्ट्स को 30 परसेंट हिस्सा देना चाहिए।

अपील के बारे में तीस दिन का बंध रखा गया है। कमेटी अपनी मीटिंग करके फैसला करेगी। तीस दिन रखने से इस में बाधाये आयेंगी। हम लिए इस बक्त को बढ़ा कर साठ दिन कर दिया जाये, ताकि अच्छी तरह विचार किया जा सके।

क्लॉज 71 में कहा गया है कि परवेजर पर भी पिनेल्टी लगाई जायेगी। क्या इस के मानी ये होंगे कि अगर कोई खरीदेगा, तो उस पर भी पिनेल्टी लगा दी जायेगी? मंत्री महोदय यह क्लैरिफाई करें कि परवेजर पर किस किस की पिनेल्टी लगाई जायेगी।

[सरदार स्वर्ण सिंह स्रोणी]

शिक्षण में बहुत से छात्र छूट गये हैं। मशीन महोदय जल्दी से जल्दी यह काम पूरी करने की कोशिश करें।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

श्री हरी सिंह (खुरा) : उपाध्यक्ष महोदय, सदन में जो दिल्ली एग्रीकल्चरल प्रोड्यूस मार्केटिंग (रेगुलेशन) बिल पेश किया गया है, इस से पहले बम्बई का 1939 का—36 वर्ष पुराना—कानून दिल्ली के किसानों की प्रोड्यूस की खरीदी-फरोख्त को कंट्रोल करता था। वह बिल आज की प्रगतिशील परिस्थितियों और वैज्ञानिक समय में पुराना पड़ गया था और मौजूदा हालात में वह बहुत कारगर मानित नहीं हो रहा था। इस बिल को लाने के लिए मैं कृषि मंत्री को धन्यवाद देता हूँ। वह हमली रूप से एक विमान है, और प्रगतिशील किसान हैं। उन्होंने यह बिल पेश करके किसानों और उपभोक्ताओं के बड़े भारी लाभ का काम किया है।

दिल्ली यूनियन टैरीटरी है और उस में करीब 258 गांव हैं। लेकिन यह केवल इन 258 गांवों के किसानों का ही प्रश्न नहीं है अगर आप देखें तो दिल्ली से मिलते हुए जो राज्य हैं, 30 मील के भीतर के, उन के इलाके के गांवों के किसान भी दिल्ली की मंडियों में अपना माल बेचने के लिए आते हैं। मैं भी हफ्ता के ऐसे जिले से आता हूँ जिस के किसानों की उपज का 75 प्रतिशत दिल्ली के बाजारों में बिकता है। तो मेरा इस बिल से सीधा ताल्लुक पड़ता है। इसलिए मैं इस बिल का बहुत ही स्वागत करता हूँ।

इस बिल के अन्तर्गत जो प्रावधान विचार के लिए पेश किए गए हैं उन में

कुछ तो ऐसे हैं जो आज की परिस्थिति के लिए बहुत ही उपयुक्त हैं जैसे कि जो मशीन बोर्ड और मंडी समितियाँ हैं उन में प्रगतिशील किसानों, कोऑपरेटिव सोसाइटीज के नुमाइन्दे और किसानों के जो अन्य संगठन हैं उन के सदस्य भी रहेंगे। इस से इन बात का बड़ा सबूत मिलता है कि किसानों का जो हित है जो उन के इन्टरेस्ट हैं उन की सुरक्षा के लिए और उन की बातों को वहाँ पर रखने के लिए उन के सबल सदस्य वहाँ मौजूद रहेंगे। यह इस बात का द्योतक है कि प्रजातन्त्र का जो सिद्धांत है उसी के अनुसार इस में व्यवस्था की गई है कि जो पैदा करता है, उस की अपनी चीज के फरोख्त का भाव तय करने में उस का हाथ होगा। यह लक्षण इस बिल का बहुत ही प्रशंसनीय और महत्वपूर्ण है। इस बिल में दिल्ली के क्षेत्र के किसानों और आम पास के राज्यों के व्यापारी और किसान जो वहाँ पर आते हैं उन के मार्केट को रेगुलेट करने के लिए बहुत अच्छे उपाय और माध्यम मुझाए गए हैं। इस बिल की जो एक बात मैंने सब में अच्छी लगी वह यह कि मंडियों में आप देखने हैं कि वड़े बड़े एजीपेंट और व्यापारी सब मिलकर विमान का नटने हैं, जैसे साइडमान को नीचे गिरा कर मारना है वैसे ही वड़े बड़े व्यापारी मंडियों में जा कर मोनोपॉली कर के विमान के माल को वड़े मम्ने भाव में ले लिया करते हैं और विमान के चने जाने के बाद उसी माल को वड़े ऊँचे दामों में बेचते हैं, लेकिन अब हम बोर्ड के द्वारा किसानों को उन की चीजों के सही दाम मिल सकेगे। इस के लिए इस बोर्ड का और समितियों का गठन किया गया है। इस से किसानों के मन के आत्म-विश्वास पैदा होगा।

श्री जीबोन्स झा (जयनगर) : आप जो बोल रहे हैं वह कुछ भी इस बिल से नहीं है।

जी हरी सिंह : आप इस को पढ़िए, यह सब इस में लिखा हुआ है।

इस के साथ-साथ यह मुझसे भी इस में दिया गया है कि जो लोग मिलावट करते थे, किसानों से शर्त चीज खरीद कर मंडियों के अपने गुप्त नज़रानों में उस में मिलावट कर के फिर उस को बेचने थे जिस में नागरिकों को मिलावट की चीजें, गन्दी और बरी चीजें खाने पीने का मिलती थी उस पर भी प्रकृष्ट लगाया जा सके। उस के लिए बोर्ड को एम्पावर किया गया है कि वह लगातार इस बात की कोशिश करे कि एडल्टरेशन न होने पावे। इस में उपभोक्ताओं को भी लाभ होगा और किसानों को भी उन की उपज का सही दाम मिल सकेगा। यह बिल किसानों की जिन्दगी के लिए उन के उत्पादन का उचित मूल्य उन्हें दिलाने के लिए बहुत ही कारगर होगा और उन के अन्दर यह भरोसा पैदा होगा कि जो चीज हम पैदा कर के मंडी में ले जाते हैं उसका सही मूल्य हमें मिलेगा। इस तरह से उन के लिए यह बड़ा ही उत्पादक होगा।

हिन्दुस्तान में यह हमारी बड़ी बड़-किम्मी है कि किसानों की बहुत सारी चीजें इन ट्रांजिशन की व्यवस्था में होती हैं, खास कर हरी मटिया दूध फल इत्यादि लगभग 26 प्रतिशत ट्रांसपोर्टेशन में और मंडियों में पड़े रहने से सब मर जाते हैं जिस में किसानों का बड़ी भारी क्षति उठानी पड़ती है। इस के लिए मैं सरकार से आग्रह करना चाहता हूँ कि ऐसे स्टोरेज और कोल्ड स्टोरेज होने चाहिए जहाँ कि किसान अपनी चीजों को रख सके और दूसरे दिन अगर मार्केट में उस को बेचने की जरूरत पड़े तो बेच सके। आज खुद में उस का सामान पड़ा रहता है। इस बिल से यह भी प्रावधान किया गया है कि किसानों के सामान के रख रखाव के लिए

दूसरी एजेंसी में कर्ज ले कर भवनों का निर्माण भी करेंगे। इस तरह से यह बिल किसानों की रोजाना की तकलीफों को दूर करने में बड़ा महायुक्त साबित होगा।

उपाध्यक्ष जी, मैं कह रहा था कि इस बिल में किसानों में ग्रामिनिग्राम पैदा होगा और मानोपोलिस्ट्स को बड़ा धक्का लगेगा। आज सीधा सवाल है कि किसानों और उपभोक्ता के बीच में जो बड़ी भारी फौज मिडलमैन की है वह किसानों को एक्स्प्लायट करती थी उनको सही दाम नहीं देती थी और तरह-तरह में उनको मजूर करके उनका शोषण करती थी। प्रमत्तता की बात है कि सरकार ने एक सी ग्राई जैसी सम्झौतों को बीच में लाकर विचोलिए को समाप्त कर दिया है। परन्तु आज भी 50 परसेंट किसानों की चीजों की खरीद-फरोख्त में विचोलिये मौजूद है जिस कारण किसानों को सही दाम पाने के लिए मजबूर बनना पड़ता है। इसलिए किसान और उपभोक्ता

बीच में जो भी विचोलिये हैं जो कि नाजयज फायदा उठाते हैं और किसानों का शोषण करने हैं उनको समाप्त करना चाहिए। मैं समझता हूँ इस बिल में कई बड़ी अच्छी, धागये रखी गई हैं। इन प्रकार के साथ मैं इस बिल का समर्थन करता हूँ।

**SHRI BHOGENDRA JHA:** Mr. Deputy-Speaker, Sir, the object of the Bill is very limited. It is replacing an old Act of colonial days. But one would naturally expect, as my hon. friend Mr. Hari Singh, has taken for granted that, what we wish to be in the Bill, is in the Bill.

This Bill is for regulating the marketing of agricultural produce and there, naturally, come the consumers, producers, middlemen and the administrators or whosoever will administer or manage the regulation of the marketing. After reading the entire Bill thoroughly, one gets totally disappointed, whether this Bill will, in any

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way, be helpful in even slightly protecting the interests of the producers and consumers. The peasant—, producers, who are residents of Delhi itself or of the neighbouring States, are not assured of any price? there is no power given to the Marketing Board or the Committee to be constituted in accordance with the provisions of this Bill to interfere with the prices being charged from the consumers or being given to the producers. That is the big tragedy. When one hopes that this Bill may have something to do with this basic thing, that basic thing is totally omitted in the whole Bill.

Chapter IV of this Bill deals with the powers. It says that a Market Committee may:

“regulate the marketing of agricultural produce in the market area or the market, and the weighing of delivery of, or payment for, such agricultural produce”

There is no mention about the price here.

At the next door, a producer may bring in his cart or a small producer may bring on his head, eggs or food-grains or whatever it may be. He directly comes into the market. But he does not come within the purview of this. Various names have been enumerated here as ‘trader, commission agent, broker, processor, weighman, measurer, surveyor, warehouseman or in any other capacity...’. All these persons are covered, but this Bill excludes the actual producers from entering the market area. I do not know why this has been done. If it is an omission, if it is unintentional, the Minister should think over it and include this provision that producers can directly come to the market area. He should not be compelled to hand over the produce to the trader or commission agent. By that one more stage will be added and the consumer will have to pay more. There should be some provision—it can be included

even at this stage—that the producer himself can directly come to the market area without going to any commission agent or trader or to the middle men. There should be some such provision. I do not think that the producer can be entirely excluded. The producer should be enabled to enter the market area. This seems to have been completely excluded from the purview of this Bill.

There should be some power given to the Board or to the Marketing Committees to look into the fact whether the prices given to the peasants-producers have got any relation with the prices which are being charged from the consumers in the market. It may be more than double or even treble. But there is nothing here to even empower the Board or the Marketing Committee to look into the matter of prices. Prices are very important. To-day when the producers bring such things, particularly, vegetables, eggs and other perishable things to the market, the commission agents, the traders do not make the purchase straightaway. They wait and purchase at distress prices and again they sell it to the actual consumer at exorbitant prices and sometimes create artificial scarcity of the commodities.

I want to know whether the Board or the Marketing Committee has got any power to regulate the marketing mechanism. For that I have read the relevant clauses but I found that the Board has no power to interfere in the matter of prices to see whether the prices charged from the consumers are legitimate prices or exorbitant prices or unreasonable prices. So I think even at this stage this point also with regard to prices should be incorporated in the Bill and the Board be empowered to look into that aspect also.

Thirdly, I would like to see, as I have said earlier, some more democratic control in the Board itself and also in the Marketing Committee. Here you have suggested that one

progressive farmer and one person representing farmers' organizations should be on the committee. Why take it for granted that the peasants' organizations or the farmers' organizations shall naturally be non-progressive? Why cannot you have both the members from farmers' organizations? Why do you split it into one progressive farmer and one non-progressive farmer representing the organization of farmers? What do you mean thereby? Farmers' organisations whosoever they may be should be naturally progressive. Similarly this applies to the Marketing Committee also.

Then, there is the question of representation in the Marketing Board of persons outside Delhi, e.g. UP, Haryana, Rajasthan and other States. Again some-one will be nominated. Who will nominate them? The administrator. Why not ask peasants' organizations? There are all India peasants' organizations. There is the All India Kisan Sabha. There used to be some Kisan Congress but whichever Kisan organization is there, it is functioning throughout the country and in many States. Why not take a representative from the Kisan organizations of the States of Punjab, Haryana, UP and Rajasthan. But in their name some-one again will be nominated by the administrator. This way it shows that you have no faith in the democratic regulation of the market and democratic control of the marketing apparatus that is proposed to be set up under this Bill. So, I think these four aspects should be taken into consideration as also the fifth aspect which is very dangerous and which, I think goes against the policy of the Planning Commission as also the very policy of the Government, is the definition of an 'agriculturist' in the Bill. The Bill defines an 'agriculturist' as:

person who ordinarily by his own labour or by the labour of any member of his family or who by the labour of his tenants or by servants or hired labour or otherwise...

We know the Planning Commission wants to encourage cultivation by self-cultivating tenants. Again agriculturists getting their lands cultivated with the help of servants or otherwise—I do not know whether the Minister has got in mind 'bonded labour' also—get representation but no tenants. We all know that no landowner ever accepts that he is getting his land cultivated by some tenants. By this very definition, the definition of 'agriculturist' contained in the old 1939 Act has been wholesale incorporated here and it goes against the very policy of the Government and the policy of land reforms. So this definition also needs to be suitably amended.

In this background, through this Bill claims that it is replacing an old Act which has become out of date, in fact it is containing many more provisions of that Act which are against the interests of the consumers, which are against the interests of the producers and which are against the democratic spirit of the country and so I again ask the Minister to explain what for this Bill is being brought. Is it brought only for some penalties against this Chairman or that Vice-Chairman who is refusing to hand over charge of the Marketing Committee or for some penalties against this weighman or that weighman? Only for this purpose is this whole Bill brought here?

What is the direction of the Bill? So, I again submit that in the interest of the actual producers they must be allowed to enter the market without going to any middlemen. That must be provided for here. It has been said that two members will represent the consumers, one of whom will be a metropolitan council member. I want to suggest that consumers' co-operatives and the producers' co-operatives should be associated. At present they are not there. These things should be provided for in the Bill even at this late stage and I think he will accept this suggestion so that the Bill

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will become more meaningful and purposeful.

श्री मूल बजट बाग (पाली) : यह जो बिल आपने पेश किया है इसका परपक्ष क्या है ? क्या यह परपक्ष है कि जो बोर्डर हैं वे काश्तकार का शोषण न करे, उसको लूटे नहीं, उनके हक की रक्षा करना और दूसरे उनको उचित कीमत दिलाना और तीसरे उपभोक्ताओं को ठीक माल दिलाना ? अगर यही परपक्ष है तो क्या ये सचीव होते हैं इस बिल से ? आपने बोर्ड बनाया है । मैं जानना चाहता हूँ कि इसमें क्या खास बहुत ज्यादा बड़ नहीं जाएगा ? मैं चाहता हूँ मंत्री महोदय साफ-साफ मेरे प्रश्नों का उत्तर दें । कमेटीज बनेंगी । उन पर एक बहुत बड़ा बोर्ड आप बिठाएंगे । बोर्ड का खर्चा कितना होगा ? चेयरमैन उसका कौन होगा ? क्या वह नामिनेटिड होगा या वह घोषित होगा, एग्जिक्यूटिविस्ट होगा, कौन होगा ? बिर्वा जो बैठे हुए हैं । इनकी नेशनल कमोशन घान एग्जिक्यूटिव ने एक सिफारिश अपनी रिपोर्ट में की थी जो इस प्रकार से है :

The representation of growers on market committee has been around 50 per cent in different States but the Chairmen are not always the representatives of the growers.

इसको आपने घोबरलुक कर दिया है । आप नामिनेटिड चेयरमैन रखना चाहते हैं । इसको मैं समझ नहीं सका कि क्यों आप नामिनेटिड चेयरमैन रखना चाहते हैं । मैं समझता हूँ कि हममें न तो ज्यादा घोषार्थ के प्रतिनिधि हैं और न क्यूमर्ब के । इसमें ज्यादा अफसर हैं, मेक्रेटरी हैं और दूसरे लोग हैं । न यह डेमोक्रेटिक इस्टीमेशन बन पाई है और न आक्रियन । सचीव बंग बल रहा है । जहाँ जहाँ हम कहते हैं कि लोकतंत्र को मजबूत किया जाए त्यों त्यों लोकतंत्र को हटाया जा रहा है । इसमें अफसरों की बाबत अधिक है । इसमें एडमिनिस्ट्रेटर हीना,

डिबेलपमेंट अफसर हीना, मार्किट अफसर होगा । यह सब चीज आपने इकट्ठी कर दी है । क्या इससे खर्चा नहीं बढ़ जाएगा और क्या इसकी वजह से उपभोक्ता भारा नहीं जाएगा ? जो चीज एक रुपये 65 पैसे में मिलनी चाहिये वही क्या 30-40 पैसे ज्यादा में इसकी वजह से नहीं मिलेगी ? बोर्ड की आवश्यकता क्या है ? मार्किट कमेटीज जरूरी है यह मैं मानता हूँ । वे बनी भी हुई हैं । अब बोर्ड क्या करेगा ? बूढ़े पके हुए राजनीतिज्ञों को क्यों आप बोर्ड बना कर उन पर बिठाना चाहते हैं ? क्यों आप मार्किट सुपरविजन के लिए इस तरह की बाड़ीज बनाना चाहते हैं ? अब आपने उन पर बोर्ड बिठा दिया है और सुपरविजन के लिए एडमिनिस्ट्रेटर रखने की भी व्यवस्था कर दी है और बोर्ड नोमिनेट करेगा चेयरमैन को । 1976 में ऐसा बिल लाना क्या प्रयत्न करता है ? क्या इसको आप डेमोक्रेसी कहेंगे ? मैं समझता हूँ ऐसे बोर्ड का चेयरमैन बनना कोई भी पसन्द नहीं करेगा । आप जरा इस बिल के बनावेज को पढ़ें छोटे-छोटे क्लोजेज में क्या लिखा है । पेज 5 लाइन 42 में लिखा है :

"Provided further that a new Board shall be constituted within a period of six months from the date on which the Board is suspended"

The Board can be suspended—this I can understand—because of corruption or misconduct or anything. Why do you say that a new Board shall be constituted within a period of six months from the date on which the Board is suspended.

Either it should be dissolved or superseded. How can they run that in suspension? You can of course nominate another Board.

मैं अभी तक इसके लोजिक को नहीं समझ सका ।

"Either the Board should be dissolved or charged sheeted."



Why do you say "that within six months a new Board shall be constituted"?

मेरी समझ में वह जान कनई नहीं जाती ।

फिर आप कहते हैं कि पाबर्स कोन डेलीगेट करेगा ? पेज 6 क्लॉज 17 इस प्रकार है :

"The Board may, with the approval of the Administrator, delegate any of its powers to its Chairman".

How does he come into the picture? After all, the Board must be given the power and whenever it wants to delegate, it can do so after the Administrator approves of it. Is it a technical institution which is functioning? Do you want that officers should dominate over us and they should dictate terms to us?

अब आप कह रहे हैं कि ग्रंट आदमी को सजा नहीं दी जायेगी । आज ही मैंने अखबार में पढ़ा कि जापान के भूतपूर्व प्रधान मंत्री श्री तनाका की क्या हान्त की गई है । और आप ऐसा कानून ला रहे हैं ।

"Provided that no such member or employee shall be called upon to show cause after the expiry of a period of four years from the occurrence of such loss, wastage, misappropriation or misapplication or after the expiry of a period of two years from the time of his ceasing to be a member or an employee of the Board or Market Committee, as the case may be, whichever is earlier"

कितना अच्छा आपने दिया है । दो साल के अन्दर, मैं अगर मेम्बर ब रहूँ, और कोई गलती न पकड़ी जाय, तो फिर मुझे सजा नहीं दी जा सकती । जब कि देखने में यह आता है कि मिसप्रोप्रिएशन और मिस्प्रोप्रिएशन के केसेज 5, 5 साल बाद भी माफ़ हो जाते हैं । लेकिन यहां आपने ऐसे लोगों को दो साल बाद माफ़ कर दिया है । जो डेलीगेट हैं उन्हें आप क्यों बचाते हैं ?

Even after that, why do you want to give protection to these rogues?

जिन लोगों ने देश को बिगाड़ दिया है उनको क्यों बचाते हैं ? ऐसा बग़ना उचित नहीं मासूम होता है ।

मार्केटिंग बोर्ड का परणज और फ़क़रन कुछ नहीं है । उस का परणज सिर्फ़ सेक्रेटरीज को ट्रान्सफ़र करना है । क्या वह बोर्ड पालिसी ले हाउस बनेगा ? दिल्ली जमी छोटी सी यूनिटन टेरीटरी में बोर्ड और कमेटीज का इतना बड़ा पैरफ़रनेलिया क्यों बनाया जा रहा है ?

मार्केटिंग मोसाइटीज को एग्रीकल्चरल प्रोड्यूस के लिए बनाया जाता है । इस बिल में एग्रीकल्चरल प्रोड्यूस की यह डेफ़िनीशन दी गई है : "एग्रीकल्चरल प्रोड्यूस" मीन्स सब प्रोड्यूस (अदर प्रोसेस्ड फ़ारनाट . . . ) एग्रीकल्चरल प्रोड्यूस के लिए मंडी बन सकती है, लेकिन कई शहरों में दूसरे सामान पर भी एग्रीकल्चर का टैक्स लग जाता है । कोई केरोसीन लाये, या घोड़े के लिए फ़ाडर लाये, उस पर एग्रीकल्चर का टैक्स लग जायेगा । मार्केटिंग गार्ड में काफ़तकार जो चीज लाये, उस पर टैक्स लगाया जाये, लेकिन अगर मैं बादाम और पिस्ता लेकर आऊँ, तो उसको एग्रीकल्चरल प्रोड्यूस में शामिल नहीं करना चाहिए और उस पर टैक्स नहीं लगाना चाहिए ।

श्री नाथू राय बिर्वा (नागौर) : उपाध्यक्ष महोदय, दिल्ली में कृषि की उत्पादित चीजों के हाट-बाजार को रेगुलेट करने के लिए यह जो बिल लाया गया है, मैं उसका स्वागत करता हूँ । दिल्ली के पुराने मंडी कानून में बहुत कमियाँ थीं और उसमें बहुत सुधार की ज़रूरत थी । इस कानून में जो स्कीम आफ बिस्स है, मैं उसको बहुत ठीक और वाजिब समझता हूँ ।



### [बी गार्जियन मित्र]

मैं ने बी बोर्ड, बी गार्जियन और दूसरे जाननीय संस्थाओं के माध्यम से हैं। उन्होंने एक बात यह कही है कि जब यहां प्रत्यक्ष-प्रत्यक्ष कमेटीज कायम करेंगी, तो फिर बोर्ड की क्या जरूरत है। मैं कहना चाहता हूँ कि दिल्ली एक बहुत बड़ा शहर है और एक बड़ा भारी कम्यूनिज सेंटर भी है। इसमें एक नहीं, अलग-अलग कामोरेटिव के लिए कई मार्केट्स बननी हैं, जिन को रेगुलेट करना है। यहां पर छोटे और बड़े बाजार हैं। सारे इलाके की मार्केटिंग की पालिसी को तय करने के लिए और सब कमेटीज के काम का को-ऑर्डिनेशन करने के लिए एक बोर्ड का होना जरूरी है। राजस्वान में मार्केटिंग की प्रत्यक्ष-प्रत्यक्ष कमेटीज हैं, लेकिन वहां बोर्ड भी हैं। हर एक राज्य में मार्केटिंग बोर्ड है, जो मार्केट्स को रेगुलेट करता है, इस बारे में एक यूनिकार्ड पालिसी तय करता है। यह तय करता है कि किस तरह से सेस लगाया जाये और किस तरह से कोऑर्डिनेशन करके मार्केटिंग के काम को एक अच्छे ढंग से चलाया जाये। इसलिए बोर्ड का रखना जरूरी है।

दिल्ली में बोर्ड को एक नामिनेटिव बाडी रखा गया है, जिसका प्रेजिडेंट एक एडमिनिस्ट्रेटर होगा और जिसमें कार्रगारों और कम्यूनिज के प्रतिनिधि रहे गये हैं। कैपिटल के कम्यूनिज के इंटरेस्ट्स का ध्यान रखने के लिए उनके नुमायंदों को भी इसमें रखा गया है। इस बोर्ड के अलावा जितनी अलग कमेटीज होंगी उन कमेटीजों के लिए कलाज 9 में व्यवस्था की गई है कि किस तरह से कार्रगारों के प्रतिनिधि और दूसरों के प्रतिनिधि उनमें होंगे। उसके लिए दिल्ली के अन्दर कई मार्केट्स बनाने पड़ेंगे। कुछ बने हुए हैं कुछ और बनाने पड़ेंगे। प्रत्यक्ष-प्रत्यक्ष चीजों की और इन्फि उन की गस्तुओं की मार्केटिंग की व्यवस्था इसमें दी गई है।

जैसा कि बहुत से सम्भावित संस्थाएं बावले हैं कि ग्राम पंच के राज्यों के बावले तीर से हिमाचल प्रदेश से, काश्मीर से, राजस्थान से तथा और जगहों से बहुत सी चीजें, बेजीटिवल, फूड्स, मिल्स, बोर्ड्स, जेड, तथा और भी कई तरह के प्रोड्यूस दिल्ली में आते हैं, इन स्टेट्स के लोगों की भी मुआयमगी इन कमेटीज में हो, ऐसी व्यवस्था की गई है। पचास प्रतिशत से ज्यादा नहीं हो, जैसा जैसा जिस राज्य का मान यहां आता हो उसी तरह से उनका प्रतिनिधित्व भी हो।

इस देश में यह तो एक माना हुआ फैक्ट है कि जिस इलाके में, जिस जगह पर रेगुलेट ड मार्केट नहीं हैं सब से ज्यादा पिटाई किसान की धरर कहीं होती है तो वहीं होती है और मार्केटिंग सेबल पर होती है। मार्केटिंग सेबल में सुधार करने के लिए सब से पहला कदम है मार्केट को रेगुलेट करने का। मार्केट ऐसा हो जहां पर कि ठीक तरह से बोली बोली जाए, ठीक तरह से आकलन हो, ज्वेफार्मर्स की व्यवस्था हो, कार्रगारों के आने और ठहरने की ठीक तरह से व्यवस्था हो, किसानों की चीजों की बाजिब कीमत उनको मिल सके, इन सारी बातों की व्यवस्था होनी चाहिए और इस विधा में यह पहला कदम है। इससे दिल्ली के कार्रगारों को ही नहीं, वे तो बहुत थोड़े से ही उड़ सी गावों के रहने वाले लोग हैं, दिल्ली के ग्राम ग्राम के सारे राज्यों के किसानों को भी इससे लाभ पहुंचेगा जिनका कि बहुत बड़ा मार्केटिंग सेंटर दिल्ली है। जो पुराना रेगुलेशन बाम्बे का लागू था उसके द्वारा मार्केटिंग का ठीक ढंग से रेगुलेशन नहीं होता था। हमारे पहाड़ी इलाके के लोग हैं जब कमीशन वहां दोरे पर गया था तो सब ने इस बात पर जोर दिया था कि जब तक मार्केटिंग वहां की रेगुलेट नहीं होती तब तक हमारे सेब, हमारी जेड वगैरह, हमारे हाटीकलर के प्रोड्यूस और बजटिलों वगैरह के ठीक बाज हूँ को नहीं मिलेंगे। वहां पर एक तरह की डे

कम्प्यूटर्स को मूटते हैं और दूसरी तरफ प्रोब्यूटर्स को ठीक काम नहीं देते हैं। इसलिए दिल्ली के मार्केट को रेगुलेट किया जाय। इस तरह से इन राज्यों की भी राय यह रही है, दिल्ली वालों ने इसके ऊपर सोचा है और भारत सरकार के मंत्रालय में भी सोचा है। इसलिए इनकी धामानी से जो हमका कंटेनिसिग्न करते हैं मैं समझता हूँ कि उन्होंने इसकी स्कीम धाफ बिग्ड की, इसकी भूमिका को और इसके घन्दर जो क्वाजेश हैं उनके कर्जमेंट को ठीक तरह से नहीं देखा है। कोई यह सोचता है कि कितना प्रगट्या हो जायगा, यह हो जायगा, वह हो जायगा, कुछ नारे पकड़ रखे हैं और उनके आधार पर एक जनरल भावण दे देने की जैसी बात है वैसा भावण दे देते हैं। मैं समझता हूँ कि हमें सीरियसली इन चीजों को समझना चाहिए कि उनके पीछे भूमिका क्या है और क्या उससे करने जा रहे हैं। जैसा कि नेशनल कमेटी ने कहा था कि किसानों का बहुमत इन में होना चाहिए वही इसमें है। क्वाज 9 में थाप देखें कि 6 घादमी तो किसानों के प्रतिनिधि होंगे। मैं समझता हूँ कि अगर दो घादमी और बढ़ाए जा सकते हों तो वह ठीक है। कुल मिलाकर जो इनके घन्दर कम्प्युटीशन धाफ बिग्ड है और जो कुछ भी व्यवस्था इसमें की गई है वह एक शुभ दिशा है।

मैं यह निवेदन करना चाहता हूँ मंत्री महोदय से कि इस कानून के पास होने के बाद नहीं ऐसा न हो कि कई तरह इसके इम्प्लीमेंटेशन में लज जायें। वह बहुत जरूरी है कि इसको तुरन्त लागू किया जाय। इस कानून को पिछले सेशन में पास कर रहे थे तब भी कुछ खामी थी। अगर पिछली वका हुआ नहीं। फिर भी इसको जल्दी पास करें और पास करने के बाद दिल्ली के घन्दर जल्दी से यह मार्केट बोर्ड बने, फिर मार्केट बोर्ड सबकुछ को कमाने हैं न बनाए जायें। मार्केटिंग प्रोसेसिंग और प्रामिनेशन जल्दी हो

और उसके नीचे एक अच्छे डंग से मार्केटिंग की व्यवस्था हो। सेटफास्ट बना कर नीलामी का काम, प्रेडिग का काम और किसानों को वाजिब दाम दिलाने का काम उनके द्वारा हो। इस कानून के होने वाले फायदे सभी होंगे जब इसके लोक सभा से पास होने के बाद यह सारी व्यवस्था सेट हो जायेंगी। मैं चाहता हूँ कि इसको यहाँ से जल्दी पास करने के बाद दिल्ली एडमिनिस्ट्रेशन पर भी धाप निवाह रखें जिसमें इसको जल्दी से लागू किया जा सके और धास पास के जितने भी राज्य हैं बाव कर पहाड़ी इलाके और हाटी-कल्चर वाले राज्य उनको भी इसका लाभ मिल सके।

मैं देखता हूँ राजस्थान से यहाँ पर जितनी भेड़ बकरियाँ धाती हैं उनके लिए यहाँ पर बड़ी बटिया दर्ज की मार्केटिंग है जिससे किसानों और भेड़ बेचने वालों को मूट होता है। यदि धाप वह दुष्य देखें तो बिना प्रकृतोस जाहिर किए धाप रह नहीं सकते हैं कि यह कितना बुरा सिस्टम है। इस सारे सिस्टम को सुधारने की व्यवस्था इस कानून में है इसलिए मैं इस बिल को लाने के लिए मंत्री जी को बधाई देता हूँ और चाहता हूँ कि इसको जल्दी से पास करवाया जाये। हम सोच यहाँ पर कोई भावण दें उससे पहले प्रत्ययन कर लिया करें और स्कीम धाफ बिग्ड को समझ लिया करें बुराई रोकने के कई तरीके हो सकते हैं लेकिन अगर हम स्कीम धाफ बिग्ड को समझ कर कोई बात यहाँ पर कहें तो ज्यादा अच्छा रहेगा। इन सबों के साथ मैं इस बिल का समर्थन करता हूँ।

MR. DEPUTY-SPEAKER: This is an important Bill, I agree. But only one hour was allotted initially. The list of speakers keeps on lengthening. What do you want me to do?

HON. MEMBERS: The time may be extended.

MR. DEPUTY-SPEAKER: We can do that, but we have to fix some time-limit for the speeches. There are still 4 to 5 speakers. If they take five minutes each, I will be able to accommodate them.

श्री राम सहाय पांडे (राजनदनपाव) :  
उपाध्यक्ष जी, डेलही एग्रीकल्चरल प्रोड्यूस मार्केटिंग (रेगुलेशन) बिल का मैं स्वागत करता हूँ। यह जो एग्रीकल्चरल प्रोड्यूस है, खेती के जितने पदार्थ हैं वह दिल्ली शहर में पैदा नहीं होते हैं। यह प्रोडक्ट हरियाणा, पंजाब, उत्तर प्रदेश इत्यादि प्रदेशों से आते हैं। बहुत जरूरी था कि यह पदार्थ जो यहां पर आते हैं उनको मण्डी बोर्ड बाच करे, सारी एक्टिविटीज को धीरे डिस्ट्रीब्यूशन को भी देखे। इसके लिए आपने एक प्राविजन बनाया है। आज की माईन सोमायटी में बहुत जरूरी है कि जो प्रोड्यूस बाहर से आते हैं वह अच्छी क्वालिटी के आये। उनके लिए यार्ड बनाया जाये, थोक भाव इक्टूरे किये जायें और इस बात की देखभाल की जाये कि वस्तुओं की शुद्धता कैसी है, कितनी साफ़ सुथरी हैं और उनकी उचित प्राइम लगाई जाये। जैसा कि हमारे भाई ने कहा कि अब तक जो प्राइसियों का सिस्टम था उसमें प्रोड्यूसर का एक्सप्लायटेशन होता था, उनको बोड़ी सी प्राइस देकर कंज्यूमर की जेब काटी जाती थी। मैं समझता हूँ यह हाई टाइप है जब अगर हम एक तरह प्रोड्यूसर के इन्टरेस्ट को सेक्यूरिटी करते हैं तो साथ ही कंज्यूमर के इन्टरेस्ट को भी सेक्यूरिटी करे। हमके साथ ही हम यह भी देखें कि प्रोड्यूसर का क्या मतलब है। हम जानते हैं रिटायर्ड जज ने महरीली के पास दस दस एकड़ जमीन ले रखी है जहां पर वे बेजिटेबल प्रोड्यूस करते हैं, उनको भी हम क्रॉपर कह सकते हैं लेकिन

They are very much involved in agriculture. But according to the definition, they are not real farmers. In fact, they are exploiters and they are taxing the pockets of the consumer.

तो क्रॉपर उसी को कहते हैं जिसकी टोटल टेक्नीक, ग्रेन, इनपुट्स, उधका मथार, धायाम खेती का हो और वह जब मार्केट में आये तो किसी कमीशन एजेंट का शिकार न हो। यार्ड में सामान लाये, उस का भांखन हो, उस को अच्छी प्राइस मिले। उस की प्रोड्यूस को भी देखा जाय कि प्रोड्यूस कैसी है, गली-सड़ी तो नहीं है—यह सब बातें ठीक हैं और बोर्ड का यह फंक्शन होना चाहिये।

15-00 hrs.

लेकिन एक बात मैं मंत्री जी से पूछना चाहता हूँ—जहां आप प्रोड्यूसर का इन्टरेस्ट लुक-आफ़्टर करते हैं, क्या इस में कंज्यूमर के इन्टरेस्ट के लिये भी कोई प्राविजन है। मैं जानना चाहता हूँ कि आप प्राइसेज को कैसे रेगुलेट करेगे। आये-दिन प्राइसेज बढ़ती जाती हैं, मात्र तो हम यह कह सकते हैं कि कमीशन एजेंट उस को एक्सप्लायट करता है, भाव बढ़ाता है, लेकिन क्या इस में कहीं ऐसा प्राविजन भी किया गया है कि यह बोर्ड कंज्यूमर के इन्टरेस्ट को भी देखेगा। यह बात मैं इस लिये कह रहा हूँ कि दिल्ली में तो मिर्क कंज्यूमर ही हैं, यहां जो भाव निकलना है उस का असर बाहर भी पड़ता है। अगर भाव यहां बढ़ेगा तो उस का असर बाहर के भावों पर भी पड़ेगा। इस लिये मैं कहना चाहता हूँ कि जहां आप प्रोड्यूसर के इन्टरेस्ट को सेक्यूरिटी करते हैं, उस को अच्छी प्राइस देना चाहते हैं, वहां आप को यह भी देखना चाहिये कि प्रोड्यूस का रीजनेबिल प्राइस क्रिस्तेशन हो। आप उन के प्रोड्यूस की कास्ट को देखिये—उन के इनपुट्स को देखिये। साइन्टिफिक एप्रोच यह होनी चाहिये कि हम देखें कि कितना इनपुट लगा और उनकी कितनी लागत आई और उस को देखने के बाद रीजनेबिल प्राइस क्रिस्स की जाय। स्टैंडर्ड प्रोड्यूसर प्राइस, उसकी क्वालिटी को देखते हुए, क्वालिटी को देखते हुए

एक सप्लाई के बैकग्राउंड को देखते हुए प्राइस को रेगुलेट कीजिये ।

In Japan the entire population is being looked after by the co-operative banking system. They provide all the inputs and they purchase all the produce. They provide money to the producers to produce and they also finance the purchasers. All aspects relating to both buyers and sellers are looked after by them. In the same way, you will have to find out some sort or device by which you can protect the interests of the consumers as well as the producers. You are owning the responsibility for this by appointing this Board. So, while ensuring that all the advantages and facilities are given to the farmers, at the same time, the interests of the consumers should not be neglected.

SHRI B. V. NAIK (Kanara): Mr. Deputy-Speaker, all that is relevant about this Bill has already been referred to by hon. Members. One thing which is bothering us is the question of nomination. According to clause 9 of the Bill, six members, will be elected by the agriculturists, and their constituency is fair enough, will be there, but the Chairman of the Board is going to be a nominated person. We are getting nominations galore. Like the Agricultural Produce Marketing Committee, the co-operative societies were restructured on the advice of no less a person than Shri B. Sivaraman of the Planning Commission, and there also there is nomination. Even in regard to our 20-Point Programme, at the district and State level we have nomination. If we look at the history of nominations—unfortunately, I cannot comment in regard to Delhi as such; we do not know much about Delhi, of which Shri Kishan Chand is supposed to be the Lt. Governor and Administrator—we know and we are familiar with what is happening in the States. These nominations have become the vehicles for carrying out the political wishes and will of the people already in power.

It might be a good thing for me as the head of the State administration to see to it that everything is made convenient from my point of view and for my party people, but if you have nomination for the chairmanship of the Agricultural Produce Marketing Committee, will your Chairman serve the Lt. Governor of Delhi or the agriculturist who is going to be his principal client? This has happened, this is continuing to happen, unfortunately I would like to tell the hon. Minister that if you try to politicise these nominations in regard to the implementation of various rural welfare schemes and the 20-point programme without regard to economic or social factors, though you have the capacity to deliver the goods, because of the limited consideration of nomination for furthering your political purposes, you are going to make a farce of the entire national programme laid down by our beloved Prime Minister, which is really very dear to us. Unfortunately, it is being politicised, and the principal vehicle is nomination. I do not know why the Government of India is turning a blind eye to this which is a burning problem at the grass roots level, at the taluk, village and district level. I hope that at least in respect of the Agricultural Produce Marketing Committee in Delhi this will not come into operation.

There was a case in my own home town which is in a place where the Bombay Agricultural Produce Marketing Act of 1939 was in operation for the last 50 years. Like the Bombay Police Act which was made applicable to Delhi, you have borrowed this Marketing Act also. The Chairman of the Agricultural Marketing Committee in my home town was nominated, and we came to know that he was not even an agriculturist. He was a dealer in snuff, footwear and things like that. I fail to understand how we who are supposed to represent 70 per cent of the agriculturists and their interests can put up with

[Shri B. V. Naik]

such a nomination. And once this nomination is done under the table, it become, a *fait accompli*, and the elected representatives can do nothing about it.

The objectives of the Agricultural Produce Marketing Committees as such are good, but with due deference to the Chairman of the National Commission on Agriculture, Shri Nathu Ram Mirdha, I would say that the conventional wisdom which prevails makes a compromise.

एक तरफ आपने सात एग्रिकल्चरिस्ट्स के इंटरेस्ट्स को वाच करने वाले बिठा दिए हैं और दूसरी तरफ सात ट्रेड के इंटरेस्ट्स को वाच करने वाले और बीच में एक सिविल सर्वेंट आपने बिठा दिया है जो चेयरमैन होगा। यह तो वैसी ही बात है जैसे दो बिलियों के बीच में एक बन्दर हो।

This is the way of the conventional wisdom of the neutral civil servants to hold the balance. In regard to the Agricultural Produce Marketing Committee, of course, the neutrals were actually the rightists who were unchangeable. So, in order to make these Marketing Committees both *de facto* and *de jure* effective, not merely remaining in name, please abolish the constituency of the so-called traders and commission agents. Nothing will happen. With the banking weapon in your hands, the commission agents and the traders will come down to your marketing committees. Have them fully represented by no one else except the agricultural producers, and you will see the result.

I support the Bill.

श्री राजदेव सिंह (जोनपुर) : मान्यवर, दिल्ली एग्रीकल्चरल प्रोड्यूस मार्केटिंग रेगुलेशन बिल जो पेश किया गया है यह बहुत अच्छा बिल है। मुझे ताज्जुब है कि बीम्ब एग्रीकल्चरल प्रोड्यूस मार्केटिंग ऐक्ट

1939, जो दिल्ली में लागू था, उसको इतने दिन क्यों लागू रखा गया जब कि एग्रीकल्चरल प्रोड्यूस में पहले से बहुत भिन्नता आ गई है और लोगों के टेस्ट में भी काफी फर्क पड़ गया है। यह बिल बहुत पहले क्यों नहीं लाया गया, यह सभ्य में नहीं आ रहा है।

इस बिल के नाम से भालूम होता है कि दिल्ली के एग्रीकल्चरिस्ट्स जो प्रोड्यूस करते हैं उन्हीं के सम्बन्ध में यह है। लेकिन जैसा अन्य माननीय सदस्यों ने कहा कि उत्तर प्रदेश, राजस्थान, हिमाचल प्रदेश, हरियाणा और पंजाब, कश्मीर आदि प्रदेशों से चीजें दिल्ली में आती हैं क्योंकि दिल्ली में खद हर एक चीज पैदा नहीं होती जिस की कि यहाँ उम्बरत है। इसलिये इस बिल को यही तक सीमित नहीं रखना चाहिये क्योंकि यह करोड़ों कंज्यूमर्स से सम्बन्ध रखता है।

इस बिल की मंशा तो अच्छी है, लेकिन जैसा बहुत से वक्ताओं ने कहा कि जो बोर्ड है वह ज्यादातर आफिशियल्स डीमीनेटेड बोर्ड है। इसलिए मेरा सुझाव है कि इस बोर्ड में 15 सदस्य होने चाहिये और उन का बटवारा यों होना चाहिये कि 6 तो एग्रीकल्चरिस्ट हों क्योंकि उन का भी इंटरेस्ट मेक गाई करना है और 6 कंज्यूमर्स होने चाहिये और 3 डीमीनेटेड रखें। लेकिन शर्त यह है कि चेयरमैन नान-आफिशियल होगा। क्योंकि कोऑपरेटिव सोसाइटीज को चलाने का हमारा तजुर्बा है और हम देखते हैं कि जरा सी बात पर बोर्ड को सस्पेंड या डिजाल्व कर दिया जाता है। तो यह बात अच्छी नहीं है। अगर इन्हें ओटोनोमस बडी की तरह ट्रीट किया जाय तो यह अच्छी तरह से काम कर सकते हैं। उन के डिस-पोजल पर बहुत सी चीजें रहेंगी। आज दिल्ली में दुकान दुकान पर गेट में फर्क है, एक बाजार में दूसरे बाजार भाव में फर्क

है। यह इस बिल के अन्तर्गत नहीं हो पायेगा। लेकिन आफिशियल पर वह सब छोड़ देना जिनकी कि मैजोरिटी है, वह नहीं होना चाहिये। इसलिये बेयरमैन नान-आफिशियल हो, और कंज्यूमर्स में से हो तो और भी अच्छा हो, और 15 सीटों का बटवारा उस प्रकार हो जैसा कि मैंने अभी बताया है। नौमीनेशन 3 मेम्बर्स का हो, चाहे वह एम० पी० हो या मेट्रोपीलिटन काउन्सिल के सदस्य हों। और बोर्ड अगर डिजाल्व हो तो करप्शन के चार्ज पर हो और प्राइ-माइसेली वह करप्शन माफिनी हो चुका हो। यह न हो कि किसी के अनामिस खन लिख देने पर बोर्ड को सर्वेड या डिजाल्व कर दे। डिजाल्व होना चाहिये, सर्वेड नहीं, और नये बोर्ड को फिर कास्टीट्यूट होना चाहिये।

मार्केटिंग कमेटीज जो हों वह इस तरह से हों कि ऐग्रीकल्चरिस्ट्स और रिटेलर्स आधे के करीब हों और मैजोरिटी कंज्यूमर्स की होनी चाहिये क्योंकि उनके इंटरेस्ट को सेफ रखना है। तो कंज्यूमर्स की मैजोरिटी हो और मार्केट का कास्टीट्यूशन भी इस तरह से हो कि दिल्ली का कोई एक घादमी किसी मार्केट में जाय उसे मालूम हो कि हमें आधू कहा मिलेगा, सब्जी कहा मिलेगी, घेन कहा मिलेगा। मनसब यह कि हर मार्केट में हर चीज का बिग होना चाहिये।

बेजीटैबिल ऐग्रीकल्चर प्रोड्यूस में आती है और इसकी प्रोसेसिंग स्माल स्केल इंडस्ट्रीज की शक्ल में कर के दिल्ली के चारों तरफ इसका आल फैलाया जा सकता है। उन बेजीटैबल को एक्सपोर्ट भी किया जा सकता है और दूसरी स्टेट्स को भी भेजा जा सकता है।

यह बिल बहुत लाभकारी है और मैं इसका समर्थन करता हूँ। मैं चाहता हूँ कि सभी महोदय इस बात का ज़रूर ख्याल रखें

कि बोर्ड नान-आफिशियल हों, उसमें नामि-नेटिड मेम्बर्स तीन हों और बेयरमैन नान आफिशियल हो।

श्री शिव नाथ सिंह (झरनू) उपाध्यक्ष महोदय, जैसा कि सभी माननीय सदस्यों ने कहा है, दिल्ली ऐग्रीकल्चरल प्रोड्यूस मार्केटिंग (रेगुलेशन) बिल एक स्वागत-योग्य विधेयक है। अब तक हम देश में मार्केटिंग का जो सिस्टम है, वह कनज्यूमर और प्रोड्यूसर के इन्टरेस्ट को सेफगार्ड नहीं करता है, लेकिन उसके द्वारा ट्रेडर के इन्टरेस्ट हमेशा सेफगार्ड हुए हैं। इस बिल की आलोचना की गई है, भले ही वह किसी भावना से और किसी भी रूप में की गई हो, लेकिन जो ट्रेडर के इन्टरेस्ट को सेफगार्ड करना चाहता है, वही इस बिल का विरोध करेगा। ट्रेडर हमेशा से प्रोड्यूसर और कनज्यूमर को शोषण करता रहा है। काश्तकार पैदावार करता है, कनज्यूमर मेहनत कर के रुपया कमाता है और उससे माल खरीदना चाहता है, लेकिन अभी तक इन दोनों के हितों की उपेक्षा होती रही है और ट्रेडर के हित का ही ध्यान रखा जाता रहा है।

ट्रेडर के हित को कंट्रोल करने के लिए, और प्रोड्यूसर तथा कनज्यूमर के हित को सुरक्षित रखने के लिए हर प्रदेश में मार्केटिंग सोसायटिया कायम हो रही हैं। उसी के आधार पर दिल्ली कन्ट्रोलर प्रदेण में किसानों की उपज की मार्केटिंग को रेगुलेट करने के लिए प्रावधान किया जा रहा है।

इस बिल में मार्केटिंग बोर्ड और मार्केटिंग कमेटीज दोनों का प्रावधान है। उनमें प्रोड्यूसर और कनज्यूमर दोनों के इन्टरेस्ट को तो प्रतिनिधित्व किया जा रहा है, लेकिन ट्रेडर्स और सरकारी मशीनरी को बहुत अधिक रिप्रेजेंटेशन और महत्व दिया जा रहा है। जब तक इन दोनों इन्टरेस्ट्स को एबालिस नहीं किया जायेगा, या कम से:

[श्री शिव नाथ सिंह]

कम उन के रिप्रेजेंटेशन को कम नहीं किया जायेगा, और प्रोड्यूसर तथा कनज्यूमर के रिप्रेजेंटेशन को बढ़ाया नहीं जायेगा, तब तक हम सही दिशा में कदम नहीं उठा सकते हैं।

इसमें कनज्यूमर्स के प्रतिनिधियों को रखा गया है और उनसे अधिक प्रोड्यूसर्स के प्रतिनिधियों को रखा गया है—केवल दिल्ली के ही नहीं, बल्कि दिल्ली के आस-पास के राज्यों के भी, जहाँ की प्रोड्यूसर इस मार्केट में आयेगी। आस-पास के दूसरे राज्यों से यहाँ वेजीटेबल्स, फल और भनाज आते हैं।

आज तक दिल्ली में कनज्यूमर्स और प्रोड्यूसर्स की हालत अच्छी नहीं रही है। काश्तकार के लिए अपनी प्रोड्यूसर लाने की जगह नहीं थी। जैसे शमशान में कफन की नीलामी होती है, वैसे ही प्रोड्यूसर की प्रोड्यूस की हालत होती थी। इस बिल व पाम होने के बाद काश्तकार को अपना स्थान मिलेगा और कांस्पीटीशन में प्राइम नय होगी, बोली लगाई जायेगी और वह अपनी इच्छानुसार बेचेगा या न बेचेगा। मार्केटिंग कमेटी में उसका प्रतिनिधि रहेंगे और उन्हें इन्ट्रेस्ट्स को सेफगाई करेंगे। इसलिए सरकार का यह कदम स्वागतयोग्य है और इस बिल को पास करके जल्दी से जल्दी कार्यान्वित करना चाहिए।

इस देश में जब तक मार्केटिंग का अच्छा इन्तजाम नहीं होगा, तब तक काश्तकार के लाभ के लिए हम कुछ नहीं कर पायेंगे। बड़े बड़े काश्तकार अपने इन्ट्रेस्ट्स को सेफगाई कर सकते हैं। जहाँ तक स्माल फार्मर और माजिनन फार्मर का सम्बन्ध है, जिसका इन्ट्रेस्ट्स की रक्षा की बात 20-पाइंट प्रोग्राम में कही गई है और जिसको एग्जीक्यूटिव मिनिस्ट्री भी हमेशा एम्फासाइज करती है, जिसको वह कई किस्म के इनपुट्स और साधन देती है, जब तक उसकी प्रोड्यूस की मार्केटिंग का

ठीक इन्तजाम नहीं होगा, और उसकी ठीक पैसा नहीं मिलेगा, तब तक हम उसके इन्ट्रेस्ट्स को सेफगाई नहीं कर सकेंगे। काश्तकार भले ही अपनी पैदावार को दुगुना कर ले, लेकिन अगर उसकी मार्केटिंग पर उसका कंट्रोल नहीं होगा, तो उस दुगुनी पैदावार से भी उसको ज्यादा पैसा नहीं मिलेगा। मार्केट में उसकी प्रोड्यूस की कीमत ठीक तरह से मिले, इसके लिए यह बिल लाया गया है और इसलिए यह स्वागत योग्य है।

बोर्ड के अंदर भी काश्तकारों को प्रतिनिधित्व दिया है और कमेटीज में भी दिया गया है। बोर्ड के अंदर जैसा कि माननीय सदस्य ने कहा है नामिनेशन हो या रिप्रेजेंटेशन हो उस में कमी बेसी हो सकती है। हम बिल के द्वारा जितने भी मेम्बर्स इस में आएंगे उन सब से मैं महमत नहीं हूँ लेकिन फिर भी आगे हम उस में इम्प्रूवमेंट कर सकते हैं जितने भी वेस्टेड इन्टरेस्ट हैं उनमें नामिनेशन को कम करने जाएंगे और काश्तकारों और कनज्यूमर्स इंटरेस्ट को बढ़ाने जाएंगे। लेकिन हम यह नहीं कह सकते कि यह बिल आज हम स्वीकार नहीं है। यह बिल हम स्वीकार होना चाहिए और इन्हीं शब्दों का माथ मैं इसका मर्मथन करना हूँ। मैं मंत्री महोदय से निवेदन करना चाहता हूँ कि यह पूरे देश की समस्या है, एग्जीक्यूटिव के प्रोड्यूस की समस्या है, उनका मार्केट की समस्या है और इस में जितना अधिक इम्प्रूवमेंट हम कर सकेंगे उतना ही हम देश को ऊपर उठा सकेंगे और काश्तकारों को उन की उपज की वाजिब कीमत दिया सकेंगे।

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAH-NAWAZ KHAN): Sir, I am very grateful to the hon. Members who have participated in the discussion. I am happy to observe that there is general appreciation of the Delhi



Agricultural Produce Marketing (Regulation) Bill. The main objective of the Bill, as I said in my opening speech, is to safeguard the interests of the producers. That is a matter about which hon. Members expressed their concern during our discussion here. It is to safeguard this very objective that this Bill has been brought forward, to have this legislation for having proper regulated market in Delhi. The producer should get a fair price for his produce. The consumer must also get his requirement at a reasonable price. This Bill will serve both these purposes. The producer will bring his produce to the market. There will be enough space in the market where he can display his produce and it can be auctioned. There would be no underhand dealings. So far producers were deprived of fair price because of manipulations of dealers in local mandis. This Bill will do away with these manipulations. Auctions are held openly, people are free to bid and the producer will naturally get a fair price. This Bill will thus ensure that he gets a proper price.

The constitution of the marketing board and the marketing committees is such that the consumers' interests are safeguarded. Their representatives would be there in these committees. So, the consumers need not have any worry on this account. In my opening speech I said that there were three existing regulated markets in Delhi, namely, Narela, Najafgarh and Zakhira. It is our intention to open up nine more new markets. These will be regulated markets and these markets would be at the following places: Subji Mandi, Naya Bazar, Bakar Mandi, Sarai Khalil, Gadodia Market, Katra Ishri Bhawan, Jama Masjid, Bahadur Garh Road and Khari Baoli. These will be the new markets. The commodities which will be sold are: fruits and vegetables; foodgrains, animals; dry-fruits; condiments; eggs and fish; wool and bristle; ghee and edible oils. These will be sold there.

Because there would be so many markets, it would be necessary to have a marketing Board to control the activities of all these different markets and to exercise proper superintendence and control over these markets. Therefore, I do not think, as some hon. Members have said, that this Marketing Board would be a superficial body and it would be a burden on the producers.

SHRI M. RAM GOPAL REDDY (Nizamabad): Did you study the marketing bill in Andhra Pradesh? It is an ideal one.

SHRI SHAHNAWAZ KHAN: We have considered that. We have before us the marketing Acts of different States. All these have been taken into consideration and the best points from all those acts have been integrated into this Bill.

Sir, some hon. Members have taken objection to the nominated Members on the Board. As I said in the beginning, the produce that would be brought to the mandis in Delhi would not only be from the growers of Delhi but also from the adjoining States like the Himachal Pradesh, Jammu and Kashmir, Haryana, Rajasthan, Punjab, U.P. and so many other adjoining States. The produce from those States also would be coming to Delhi. We thought that we should leave it to the Lieutenant Governor to select a really good Chairman so that all these States may feel happy about it and they will be satisfied with the person selected as the Chairman. It is essential that, to begin with, we should have a man of very high integrity and a very high ability. Because so many different States are concerned we thought that we would leave it to the Lieutenant Governor to select really a good person and I think that all the States would feel happy about the choice. That is why, in the beginning, we wish to make it a success and we should make sure that this gets going and then I think things will settle down and if there is



[Shri Shah Nawaz Khan]

any drawback or failing, we can always rectify that.

Very many Members said that the producers should have adequate representation on these bodies. I think the constitution of the Board as well as the market committees is such that the interests of the growers or the producers are fully protected and they have adequate representations in the market committees. For instance, six out of 14 members on the market committees are agriculturists. I think that is an adequate representation and it will ensure proper representation for the agriculturists.

As the hon. Members are aware this would involve a lot of administrative work to run these markets properly and therefore, we do require some good administrators to run the administration properly. Therefore some officials have to be introduced. I do not think that there is any need to be unduly allergic about the membership of some officials. I think it would be to the advantage of market boards and market committees to have some officials as Members on the Board. A great thing about this is that the middleman's profit, we hope, would be eliminated and their profit will go to the growers and consumers. The best way to ensure that the consumer gets the produce at a reasonable price would be this. My hon. friend, Shri Naik—he is not here now—spoke about the cooperative structure in Japan.

I entirely agree with him that the cooperative structure in Japan is very powerful and that is why the producer as well as the consumer feels happy about it. It is a good example before us and we can try and emulate that example. By strengthening our cooperative structure, by promoting consumer cooperatives as well as co-operatives of growers we can ensure that these objects are served well.

Even after the markets are regulated and the goods are auctioned these have to be taken to different bazars and 'mandis' and there again there will be some scope for the retailer to make unduly high profit unless there is some sort of cooperative structure of the consumers. I hope that people in Delhi, particularly the social workers and political organisations would give their full support to the organisation of cooperative structure of the consumers in Delhi. I am very grateful again to the hon. Members who have made my task much easier, especially Mr. Mirdha, who was the Chairman of the Agricultural Commission and also many other Members who elucidated various implications of the provisions of this Bill and, as such, it is not necessary for me to repeat the whole thing.

MR DEPUTY-SPEAKER: The question is:

"That the Bill to provide for the better regulation of the purchase, sale, storage and processing of agricultural produce and the establishment of markets for agricultural produce in the Union territory of Delhi and for matters connected therewith or incidental thereto, be taken into consideration."

*The motion was adopted.*

MR DEPUTY SPEAKER: We take up clause by clause consideration. The question is:

"That Clause 2 stand part of the Bill."

*The motion was adopted.*

Clause 2 was added to the Bill.

Clause 3 (Notification of intention of regulating marketing of agricultural produce in specified area)

SHRI M. C. DAGA: I beg to move:  
Page 3, line 21,—

for "newspaper" substitute  
"Official Gazette" (1)

Page 2, line 28,—

for "one month" substitute "two months" (2)

Sir, if you read the clause you will find they have said that the notification may also be published in any newspaper. Now, what sort of newspaper will it be. I have said that it be published in the official gazette. They have already said in Clause 3:

"The notification shall state that any objections or suggestions which may be received by the Administrator, within such period as may be specified in the notification, not being less than one month from the date of publication of the notification in the Official Gazette, shall be considered by him."

15.34 hrs.

[SHRI BHAGWAT JHA Azad in the Chair]

So they have already said if there are any objections the notification will be issued in the official gazette and not in any newspaper. So, I will submit that instead of the word 'newspaper' please substitute the words 'Official Gazette'.

SHRI SHAHNAWAZ KHAN: May I submit that notification includes the publication in official gazette. The publication in the newspaper would be in addition to the publication in the official gazette.

SHRI M. C. DAGA: Why do you say in clause 3 'date of publication of the notification in the Official Gazette'? This is in line 29, on page 3. Here you say 'Official Gazette'. Then why not say 'Official Gazette' earlier also?

SHRI SHAHNAWAZ KHAN: If you look at page 2 (m), it says:

"'notification' means a notification published in the Official Gazette".

1303 LS—3.

SHRI M. C. DAGA: You say the notification may be in any newspaper. What do you mean by 'any newspaper'?

SHRI SHAHNAWAZ KHAN: In addition to the notification in the Gazette.

SHRI M. C. DAGA: That is not in addition. Where is the word 'addition'? From where are you bringing this word? Kindly read clause 2, sub-clause (3).

"The notification may also be published in any newspaper published in the regional language and circulating in the area specified in sub-section (1)..."

Here you say that it will be published in any newspaper. Later on you say that it will be published in the Official Gazette. How do you reconcile these two positions? What do you mean by 'any newspaper'?

SHRI SHAHNAWAZ KHAN: 'Any newspaper' means any newspaper.

MR. CHAIRMAN: It has the simple dictionary meaning: 'any newspaper' means any newspaper. You have made your point and the Minister has replied. I cannot allow this to go on like this. Are you withdrawing the amendments?

SHRI M. C. DAGA: No.

MR. CHAIRMAN: I shall now put amendments Nos. 1 and 2 to vote.

Amendments Nos. 1 and 2 were put and negatived.

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4 (Declaration of regulation of marketing of specified agricultural produce in market area)

SHRI M. C. DAGA: I move;

Page 3, line 39,—

for "newspaper" substitute  
"Official Gazette" (5)

SHRI SHAHNAWAZ KHAN: I am not accepting it.

MR. CHAIRMAN: Is he pressing the amendment?

SHRI M. C. DAGA: No. I seek leave of the House to withdraw my amendment.

Amendment No. 3 was, by leave, withdrawn.

MR. CHAIRMAN: The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 (Constitution, powers and duties of Delhi Agricultural Marketing Board)

SHRI M. C. DAGA: I move:

Page 4, line 9,—

for "twelve" substitute "fourteen" (4)

Page 4, line 19,—

add at the end—

"recognised by the Government" (5)

Page 4, line 26,—

add at the end—

"and the other Member shall represent either the Municipality or any local body." (6)

Page 4, after line 26, insert—

"(vii) two members representing the interests of labourers working in marketing areas." (7)

Page 5, line 10,—

for "five" substitute "three" (8)

Page 5, after line 11, insert—

"Provided further that the disqualification mentioned in clause (d) of this sub-section shall cease to operate after the expiry of the period for which a person is so disqualified unless such disqualification is removed earlier by an order of the State Government." (9)

Page 5, line 43,—

for "suspended" substitute  
"dissolved" (10)

Page 6,—

omit lines 6 to 9 (11)

Page 6, line 38,—

omit "with the approval of the Administrator," (12)

In amendment No. 5, I have said that the organisations must be recognised by Government. You have not defined 'organisation'. Then as regards the proviso to sub-clause (5), I have moved an amendment to the effect that the disqualification shall cease to operate after the expiry of the period for which a person is so disqualified unless such disqualification is removed earlier by an order of the State Government because the period is long.

My amendment No. 10 concerns the second proviso to sub-clause (9). I have said that instead of the word 'suspended' it should be 'dissolved'. Once suspended, it remains in suspension. Then how can a new Board be constituted? When it is in suspension, the Board still has a life. So how can you form a new Board? So the word should be 'dissolved'.

So, I submit that it must be either dissolved or superseded. When the old Board is under suspension, how can you form a new Board?

MR. CHAIRMAN: Once the Board is suspended, within six months, the new Board will be constituted. What is the contradiction? Anyhow, it is for the Minister to explain.

SHRI SHAHNAWAZ KHAN: When the Board is suspended, within six months it is to be reconstituted. As soon as the Board is suspended and a decision is taken to form a new Board, it is automatically dissolved. Before constituting the new Board, an order will be issued that the old Board is dissolved.

MR. CHAIRMAN: Is he withdrawing his amendments?

SHRI M. C. DAGA: Yes.

MR. CHAIRMAN: Is it the pleasure of the House that amendments Nos. 4 to 12 moved by Shri Daga may be withdrawn?

HON. MEMBERS: Yes.

Amendments Nos. 4 to 12 were, by leave, withdrawn.

MR. CHAIRMAN: Mr. Madhukar and Mr. Ramavatar Shastri are not present. So, I will put clause 5 to the House. The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clauses 6 to 8 were added to the Bill.

Clause 9 (Composition of Market Committees)

MR. CHAIRMAN: Mr. Madhukar and Mr. Ramavatar Shastri are not present to move their amendments.

The question is:

"That clause 9 stand part of the Bill."

The motion was adopted.

Clause 9 was added to the Bill.

Clauses 10 to 24 were added to the Bill.

Clause 25 (Powers and duties of Market Committee).

SHRI M. C. DAGA: I beg to move:

Page 14,—omit lines 25 and 26.(13)

Page 15, line 6,—omit "to prevent adulteration and" (14)

If the Board has residuary power, it should not be with the approval of the Administrator; the Board should have the power *suo motu*.

SHRI SHAHNAWAZ KHAN: I do not agree to these amendments.

SHRI M. C. DAGA: I do not press them.

MR. CHAIRMAN: Has the hon. Member the leave of the House to withdraw his amendments?

SOME HON. MEMBERS: Yes.

Amendments Nos. 13 and 14 were, by leave, withdrawn.

MR. CHAIRMAN: The question is:

"That clause 25 stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

MR. CHAIRMAN: To clause 27 there is amendment No. 15 by Shri Daga.

SHRI M. C. DAGA: I am not moving it.

MR. CHAIRMAN: The question is:

"That clause 27 stand part of the Bill."

The motion was adopted.

Clause 27 was added to the Bill.

MR. CHAIRMAN: There is an amendment to clause 26 by Shri Ramavatar Shastri and Shri Madhukar, but both of them are not present here. The question is:

"That clauses 28 to 34 stand part of the Bill".

*The motion was adopted.*

*Clauses 28 to 34 were added to the Bill.*

**Clause 35** (Power to cancel or suspend licences).

MR. CHAIRMAN: To clause 35 there is amendment No. 16.

SHRI M. C. DAGA: I beg to move:

Page 19, line 31,—for "Director" substitute "Committee" (16).

Why do you want to give the powers to the Director when the Committee is functioning? The Committee can cancel the licence and not the Director. Do not give power to a Government servant. Why do you want to entrust it to an officer?

SHRI SHAHNAWAZ KHAN: The executive authority has to be exercised by some person.

SHRI M. C. DAGA: Then I want to withdraw my amendment.

MR. CHAIRMAN: Has the hon. Member the leave of the House to withdraw his amendment?

SOME HON. MEMBERS: Yes.

*Amendment No. 16 was, by leave, withdrawn.*

MR. CHAIRMAN: The question is:

"That clauses 35, 36 and 37 stand part of the Bill."

*The motion was adopted.*

*Clauses 35, 36 and 37 were added to the Bill.*

MR. CHAIRMAN: To clause 38 there is an amendment by Shri Ramavatar Shastri and Shri Madhukar.

Both of them are not present. The question is:

"That clauses 38 and 39 to 49 stand part of the Bill."

*The motion was adopted.*

*Clause 38 and 39 to 49 were added to the Bill.*

MR. CHAIRMAN: The amendments to clauses 30, 51, 52, 53, 54 and 55 are by either Shri Ramavatar Shastri or by Shri Madhukar or by both. They are not present in the House.

The question is:

"That clauses 50 to 55 stand part of the Bill"

*The motion was adopted.*

*Clause 50 to 55 were added to the Bill.*  
**Clause 50** (Liability of members or employees of Board or Market Committees)

SHRI M. C. DAGA: I beg to move:

Page 28,—omit lines 5 to 10 (17)

Page 28,—omit lines 25 to 29. (18)

I would like to ask the hon. Minister why he wants protection to corrupt persons. The proviso says:

"Provided that no such member or employee shall be called upon to show cause after the expiry of a period of four years from the occurrence of such loss, wastage, misappropriation or misapplication or after the expiry of a period of two years from the time of his ceasing to be a member or an employee of the Board or Market Committee, as the case may be, whichever is earlier."

Generally audit takes place after two years and they may find out certain mistakes, cases of misconduct, misappropriation etc. So, why do you say that after four years the person cannot be prosecuted in a court of law? Even after ten years, if there are charges

of corruption, nepotism or misappropriation, kindly prosecute them. Don't put this proviso for heaven's sake.

SHRI SHAHNAWAZ KHAN: I find it difficult to accept this because even in the Criminal Procedure Code there is a provision for limitation. If you leave it open, it will not be fair to the employees. By lapse of time they may have lost the evidence, record etc., that they may have to rely upon.

SHRI M. C. DAGA: Will the records disappear?

SHRI SHAHNAWAZ KHAN: Since this period is after their retirement, you cannot leave it open.

SHRI M. C. DAGA: I do not want to withdraw I want it to go on record...

MR. CHAIRMAN: If an employee is involved, the charge should be brought when he is in service or within two years of his retirement. You cannot keep it open for long years.

SHRI M. C. DAGA: If you keep it for two years only it means that if audit finds out something and there are charges of corruption or misappropriation, the person cannot be prosecuted.

श्री राम रतन शर्मा (बांदा) : श्रीमान्, सी आर पी सी में लिमिटेशन सजा के हिसाब से है। 6 महीने की सजा है तो इतना लिमिटेशन है, इस से ज्यादा है तो इतना लिमिटेशन है। कर्प्शन के चार्ज में लिमिटेशन ज्यादा होगा। इसलिये दो साल लिमिटेशन के लिए जो डागा जी कहते हैं उसमें काफी बल है, उस को कुछ और बढ़ाया जा सकता है।

श्री शाहनावाज़ खाँ : कर्प्शन तो जब कोई एम्प्लॉई सबिन् में है उसी वक़्त उनका पता लग जाता है।

MR. CHAIRMAN: He is given two years after retirement.

श्री राम रतन शर्मा : आप ने सी आर पी सी की बात बनायी कि सी आर पी सी में भी लिमिटेशन है। मेरा निवेदन है कि सी आर पी सी में सजा के अनुरूप लिमिटेशन है। जहाँ 6 महीने की सजा है वहाँ साल भर का लिमिटेशन है, तीन साल की सजा है तो तीन साल की लिमिटेशन है। कर्प्शन के चार्ज बाद में आने हैं तो उसकी लिमिटेशन और बढ़ाएँ। उस के अंदर मात साल की सजा है तो उस की लिमिटेशन सान साल तक बढ़ाएँ।

डा० कंजल्ल (बम्बई दक्षिण) : सका माननीय मन्त्रिपति जी, इसका मतलब यह है कि जो बोर्ड और कमेटीज में बैठेंगे उनको बहुत ही सतर्क रहना चाहिए। जिन कर्मचारी ने वहाँ गड़बड़ी की हो, तो उन गड़बड़ी को दो साल के अन्दर निकाल लें जिससे वह कर्मचारी बच न सके। इसमें तो बोर्ड और कमेटी को इस बिल के द्वारा सतर्कता दी जा रही है।

MR. CHAIRMAN: Is Mr. Daga withdrawing his amendments?

SHRI M. C. DAGA: Yes, I would like to withdraw my amendments.

Amendments Nos. 17 and 18 were, by leave, withdrawn.

MR. CHAIRMAN: The question is: 'That Clauses 56 to 73 stand part of the Bill.'

The motion was adopted.

Clauses 56 to 73 were added to the Bill.

The Schedule, Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI SHAHNAWAZ KHAN: Sir, I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

15.57 hrs.

**GOVERNMENT OF UNION TERRITORIES (AMENDMENT) BILL**

**THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA):** Sir, I beg to move\*:

"That the Bill further to amend the Government of Union Territories Act, 1963, be taken into consideration."

When the Government of Union Territories Act was enacted in 1963, Scheduled Castes and Scheduled Tribes had not been notified in relation to Goa, Daman and Diu. Hence, no provision could be made at that stage for the reservation of seats for these communities in the Assembly of that Union territory. Scheduled Castes and Scheduled Tribes were notified in relation to Goa, Daman and Diu in 1968 and their population figures based on the 1971 census became available in April, 1972, i.e., after the last General Elections to the Assembly. Now that the population figures are available, this Bill has been brought forward to amend sub-section (4) of section 3 of the Act to provide for reservation of seats for the Scheduled Castes and Scheduled Tribes in the Legislative Assembly of Goa, Daman and Diu. Certain consequential amendments are also proposed in the Bill to sub-sections (5) and (6) of section 3. The delimitation of Assembly constituencies in Goa, Daman and Diu has, on the basis of the population at the time of the 1971 census already been done by the Delimitation Commission. This Bill, therefore, proposes to empower the Election Commission to determine the number of seats to be reserved and to specify the constituencies of the Assembly to be reserved. No Sched-

uled Tribes have been notified in Pondicherry. Hence, reference to Scheduled Tribes in section 3(4) has not been retained while proposing the revised version of that sub-section.

Sir, this is a small Bill which has been brought forward with a view to promoting the interests of the weaker sections and I hope that it will be supported by all sections of this House. I commend this Bill to the House.

**MR. CHAIRMAN:** Motion moved:

"That the Bill further to amend the Government of Union Territories Act, 1963, be taken into consideration."

Shri Kathamuthu.

\*\***SHRI M. KATHAMUTHU** (Nagapattinam): Mr. Chairman, Sir, on behalf of my party, the Communist Party of India and on my own behalf, I welcome the Government of Union Territories (Amendment) Bill, 1976.

Sir, this Bill seeks to provide for the reservation of seats for the Scheduled Castes and Scheduled Tribes in the Legislative Assembly of the Union Territory of Goa, Daman and Diu and to empower the Election Commission to determine the number of seats to be so reserved and the constituencies in which those seats shall be reserved. As no scheduled tribes have been notified in the Union Territory of Pondicherry, the provision for reservation in the parent Act is also being deleted through this Bill.

While welcoming the fact that the scheduled castes and the scheduled tribes of Goa, Daman and Diu are getting the opportunity of enjoying the constitutional rights, I have to bring to the notice of the hon. Minister of Home Affairs one or two relevant issues. Sir, the Union Territory of Goa, Daman and Diu was liberated in 1961. Being comparatively a small area, an emergency census could have

\*Moved with the recommendation of the President.

\*\*The original speech was delivered in Tamil.

been conducted to find out the population of Scheduled Castes and Scheduled Tribes. If that had been done, even in the 1967 General Elections reservation of seats in the Legislative Assembly of the Union Territory for the Scheduled Castes and the Scheduled Tribes could have been made. These down-trodden people could have got their representatives in the Assembly as early as 1967. This thing need not have been delayed till now. I would only say that this inordinate delay could have been averted by taking prompt steps much earlier. Though it has become belatedly, yet I welcome this measure since the scheduled castes and the scheduled tribes are getting their constitutional rights. I stress the need for taking such steps as are needed in this matter without such inordinate delay.

Here, I would like to refer to the Union Territory of Andaman and Nicobar Islands. Though there is no Assembly there, yet there are many Committees. I am sorry to state that the representation for the Scheduled Castes and the Scheduled Tribes is not there. You know, Sir, that such people from West Bengal, Tamil Nadu and Kerala have also gone and settled there. Though they were enjoying this constitutional right in their home States, they are now being denied this constitutional right in Andaman and Nicobar Islands. I have to regretfully point out that this constitutional protection is being denied to them.

16.00 hrs.

While we are laying great emphasis on the implementation of 20-point programme, it is regrettable that the basic programmes which have been already accepted are either not being implemented or there is unconscionable delay in their implementation. I would like to emphasise that concrete steps must be taken to implement the already accepted programmes, constitutionally or otherwise, for the welfare of the scheduled castes and the scheduled tribes.

With these words, I support the Government of Union Territories (Amendment) Bill.

SHRI BIREN DUTTA (Tripura West): I support this Bill. For a long time the Scheduled Castes and Scheduled Tribes of Pondicherry, Goa, Daman and Diu have not been given their due share in taking part in their legislature. It cannot be without any reason that this omission was there. There are some people who are against it. Even in the Centre there are certain people who do not like it. When the law was first enacted, why have they not been declared? Now, even after giving these rights, I am quite apprehensive if they will get their proper representation. We have got so many reports from the committee of our own House that the Scheduled Castes and Scheduled Tribes do not get their due share in various services.

Then, Sir, delimitation of constituencies is done according to some peculiar principles. Where there is a concentration of Scheduled Castes or Scheduled Tribes people, they are split into two or three constituencies and they are made reserved seats for these people. The candidates who get elected from these constituencies are elected by a majority of non-Scheduled Caste or non-Scheduled Tribe people. Although they belong to one contiguous area they are split up into many territories in such a way that the non-Scheduled Caste or non-Scheduled Tribe people prevail in the voting. I do not know whether our Minister who is piloting this Bill knows about these facts.

So, if you really like the Scheduled Caste people to have their rights and to have their reserved seats, you must look into this and see that they get one of their own men elected and they should not be split in such a way that the majority members of non-scheduled caste people elect one Scheduled Caste member.



[Shri Biren Dutta]

Sir, I have nothing to say against this Bill. It is a welcome measure and I support it.

सरदार स्वर्ण सिंह सोबी (जमशेदपुर) :  
चेयरमैन साहब, यह जो बिल—गवर्नमेंट ऑफ यूनियन टैरिटरीज अमेन्डमेंट बिल, 1976—पेश किया गया है, हालांकि यह बहुत छोटा सा बिल है, लेकिन इस का महत्व बहुत ज्यादा है क्योंकि इस का ताल्लुक शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स के साथ है। जिस इलाके से मैं आता हूँ—छोटा नागपुर का इलाका, सिक्किम डिस्ट्रिक्ट में—यहां पर ज्यादा तादाद शेड्यूल्ड ट्राइब्स और शेड्यूल्ड कास्ट्स की है। एक बात मुझे बताने करनी है—इस बिल में एक तरफ तो आप ने गोआ-दमन-दियु 4 लोगों को—मेरा मतबल शेड्यूल्ड कास्ट्स और शेड्यूल्ड ट्राइब्स से है—हक दिया है, उन को भी सीट मिलनी चाहिये, लेकिन दूसरी तरफ आप ने यह हक छीन लिया है। आप का स्टेटमेंट ऑफ प्रॉजिक्चर्स एंड रीजन्स कहता है—

"Opportunity is also being availed of to delete the provision for reservation for Scheduled Tribes in the Legislative Assembly of the Union territory of Pondicherry since no such tribes have been notified in relation to that Union territory."

मेरे कहने का मतलब यही है कि एक तरफ तो आप ने उन को जगह दी है, लेकिन दूसरी तरफ जब किसी चीज को छीनते हैं तो बहुत खोब समझ कर लेनी चाहिये।

आपने इसको 1971 की संसत फिगरेंड पर बस किया है। यह तो ठीक है। फिर भी मैं कहूंगा कि अगर आपने इस पर विचार न किया हो तो करें। कहीं ऐसा न हो कि शेड्यूल्ड ट्राइब्स 4 हक इससे छिन जाएं। इसका उन पर दूसरी ही प्रकार का असर

पड़ेगा। और यह समझा जाएगा कि वहां शेड्यूल्ड ट्राइब्स हैं ही नहीं।

इलीमिन कमिशन सर्वेयर्स और प्रॉजिक्चर्स एंटरटेन करता है। इसमें बहुत ही बेसिस किसम की प्रॉजिक्चर्स भी आ जाती हैं। इन से आपको सावधान रहना चाहिये।

मैं यह भी चाहता हूँ कि यूनियन टैरिटरीज को आप कम करें। आप चंडीगढ़ को ही लें। एक तरफ पंजाब है और दूसरी तरफ हरियाणा और बीच में चंडीगढ़ है। क्यों इसको किसी एक को आप दे नहीं देते हैं? क्यों इतना खर्चा आपने अपने ऊपर डाला हुआ है? मैं चाहता हूँ कि यूनियन टैरिटरीज को आप कम करें।

मैं अन्त में यही कहना चाहता हूँ कि जो भी काम आप करें उस में बेइंसाफी किसी के साथ नहीं होनी चाहिये। इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ।

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Certain points have been raised by hon. Members and I will try to deal with them. It has been said that only Harijans and Scheduled Castes should vote for the Scheduled Caste Member. I think the entire House knows and every Member would know that the Father of the Nation, Mahatma Gandhi, went on a fast that there should not be any separate electorate. We all stand by it. The Britishers wanted that there should be separate electorate for scheduled castes, muslims and others but Mahatma Gandhi was against it and fought against it. The policy of the Government of India is that there should not be any separate electorate. We stick to it. We only reserve the constituency but all the people will have the right to vote for a

member; however they can only elect a scheduled caste member from the constituency.

About delay, I said in my opening speech that the Union Territories Act was enacted only in 1963. The scheduled castes and scheduled tribes were notified in Goa, Daman and Diu only in 1968. It was in 1971 that census was there. It cannot be said that the rights of scheduled castes were denied. In fact, in the last Assembly, Government exercised their power of nomination to nominate a scheduled caste member. In Goa a scheduled caste member Shri Kamble was nominated for the last Assembly in Goa. About Pondicherry we have reserved this. Of the total population of 4,71,707, the scheduled caste population is 72,921. There is not a single scheduled tribe. So we thought, when there is not even a single scheduled tribe, it is no use to provide a seat for the scheduled tribe. That is all. For scheduled castes we have provided seats. Out of 30 members there, 5 scheduled caste members were elected to the Pondicherry Assembly and we are seeing to it that the rights of scheduled castes and scheduled tribes are looked after properly. I request that this Bill may be passed.

MR. CHAIRMAN: The question is.

"That the Bill further to amend the Government of Union Territories Act, 1963, be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: We now take up clause by clause consideration. There are no amendments to clauses 2 and 3. The question is:

"That clause 2 stand part of the Bill".

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clause 3 was added to the Bill.*

MR. CHAIRMAN: The question is:

"That Clause 1, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI OM MEHTA Sir, I move:

"That the Bill be passed."

MR. CHAIRMAN. The question is:

"That the Bill be passed."

*The motion was adopted.*

16.11 hrs.

#### CODE OF CIVIL PROCEDURE (AMENDMENT) BILL

MR. CHAIRMAN. Now we take up the next item—the Code of Civil Procedure (Amendment) Bill. Dr. Seyid Muhammad.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Sir, I beg to move:

"That the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963, as reported by the Joint Committee, be taken into consideration."

Sir, you are aware that the Code of Civil Procedure (Amendment) Bill, 1974, as introduced in this hon'ble House, was referred to a Joint Committee of both Houses of Parliament. After examination of the Bill in depth in the light of the memoranda and the evidence received by it, the Joint Committee have suggested certain changes in the Bill.

Sir, you are aware that there has been persistent demand for judicial reforms with a view to expediting the disposal of suits and proceedings. The matter was considered by the Law Commission in its 14th Report, but in

[Dr. V. A. Seyid Muhammad]

that Report no specific amendment was recommended by the Law Commission. Subsequently, in its 27th Report, the Law Commission made specific recommendations for the amendment of the Code of Civil Procedure and a Bill to amend the Code on the lines suggested by the Law Commission was introduced in Parliament and was referred to a Joint Committee. But the Bill lapsed on the dissolution of the Fourth Lok Sabha. It was felt that while the recommendations made by the Law Commission in its 27th Report were weighty, they did not go far enough. Consequently, the matter was once again referred to the Law Commission and the Law Commission, in its 54th Report, suggested comprehensive amendments in the Code. The Bill which is before this hon'ble House seeks to give effect, as far as practicable to the recommendations made by the Law Commission in its 27th and 54th Reports. Some other recommendations on specific topics were also made by the Law Commission in its 40th and 55th Reports. The Bill also seeks to give effect to the recommendations made in those Reports.

In suggesting amendments to the Bill the Joint Committee kept in view the twin objects of ensuring a fair trial and expediting the disposal of suits and proceedings. The question of costs was also considered by the Joint Committee.

As you know, Sir, court fee constitutes one of the major components of costs of litigation. The Committee felt that provisions should be made for reducing the court fees and making the scales of court fees uniform throughout India. Sir, as you are aware, 'court fee' being a State subject and the Code of Civil Procedure being a legislation providing for the procedure of suits and proceedings, no provision could be included in the Bill with regard to the reduction of court fees. The Committee have, however, made a separate recommendation requesting

the Government to take effective steps to ensure that there is a uniformity in the rates of court fees all over the country and that the rates of court fees all over the country are brought down to such a level as to enable a poor person to get a redress of his grievance from a court of law. The Committee have further recommended that the Central Government may ensure that in case the amount received by the State Government by way of court fees exceeds the expenditure incurred by the State Government on the administration of civil justice, such excess is spent in providing amenities to the litigant public.

While it has not been possible to provide for the reduction of court fees, endeavour has been made to provide in the Bill for the reduction of costs of litigation by eliminating delays, wherever possible.

Some hon. Members of the Joint Committee felt that provisions should be made for pre-trial conciliation proceedings or pre-trial conferences as they exist in some foreign countries. These suggestions were specifically considered by the Law Commission in its 14th Report and the Law Commission felt that the object of pre-trial conciliation or pre-trial conferences can be achieved by the proper implementation of the existing provisions of the Code of Civil Procedure, 1908. The Law Commission further pointed out that it is not the law which is deficient, the deficiency is in the human material which is available for giving effect to the law. Hence unless there is a qualitative improvement in the human material entrusted with the administration of justice in the subordinate courts the provisions of the Code, which have been very well conceived, will not yield the desired results.

While the Government were in agreement with the views of the Law Commission expressed in its 14th Report, the Government felt that the recommendation made by Law Commission, in its 54th Report, with regard to suits

concerning a family should be given effect to. Accordingly, the principles of pre-trial conferences have been, to a limited extent, included in Order XXXII-A.

Sir, as you are aware, in the Bill as introduced in this Hon. House, section 80, 115 and 132 were proposed to be omitted. After considering the matter in depth, the Committee have suggested that these sections should be retained in the Code, but sections 80 and 115 should be modified so as to ensure that justice is not denied to the deserving parties.

The considerations which had prompted the Law Commission to suggest the omission of section 80 were broadly as follows:—

(i) in a democratic country there should be no distinction between the citizen and the State, and

(ii) in many cases just claims of citizens are defeated by the Government by taking technical defences. The Committee did not, however, agree with the views expressed by the Law Commission in support of the proposal for the omission of section 80. The Committee were of opinion that there is a distinction between a citizen and the Government machinery and, as such, the provisions of section 80 may be regarded as making a reasonable classification. The Committee further felt that if section 80 were omitted, it might prompt people to file suits against the Government to prevent it from undertaking any measure for the benefit of the society. The Committee therefore suggested that section 80 should be retained in the Code subject to certain modifications. The modifications seek to ensure that the just claims of a citizen are not defeated by reason merely of any technical defect in the notice served on the Government or a public officer. The Committee have, therefore, recommended that no suit shall be dismissed merely by reason of any technical defect in the notice or in the manner of service thereof if the following conditions are fulfilled, namely:—

(i) the name, description and residence of the plaintiff have been so given in the notice as to enable the appropriate authority or public officer to identify the person giving the notice and the notice had been delivered or left at the office of the appropriate authority; and

(ii) the cause of action and the relief claimed have been substantially indicated in the notice.

Sir, there was a persistent demand before the Committee for the relaxation of the provisions of section 80 in relation to suits for injunction. It was represented before the Committee that the purposes of suits are often defeated by reason of the provisions of section 80. It was pointed out, by way of example that a person, who is threatened with illegal deportation within 15 days, cannot get relief by a suit on account of the provisions of section 80. The Committee therefore, felt that there is a case for relaxation of the provisions of section 80 in the case of a person who intends to file a suit to obtain an immediate or urgent relief. Accordingly, the Committee have recommended that where urgent or immediate relief is needed a suit may be filed against the Government or a public officer without serving a notice under section 80; but in such a case, no relief shall be granted by the court except after giving to the Government or the public officer a reasonable opportunity of showing cause in respect of the relief prayed for in the suit.

Omission of section 115 was recommended by the Law Commission on the ground that an alternative remedy exists in article 227 of the Constitution. It was represented before the Committee that the scope of article 227 is wider than the scope of section 115 and that a remedy under article 227, being a constitutional remedy, is costlier and dilatory. Further, in view of the existence of article 227, the purpose of avoiding delays cannot be achieved by omitting section 115 from the Code. Hence no useful purpose would be served by omitting section 115.

[Dr. V. A. Seyid Muhammad]

On the contrary, the retention of section 116 in the Code would take away many cases from the ambit of art. 227 and would thus afford a speedy and cheaper remedy. The Committee therefore, recommended the retention of sec. 115 in the Code.

The Committee, however, felt that in addition to the restrictions contained in sec. 115, an overall restriction on the applicability of sec. 115 to interlocutory orders should be imposed. The Committee, therefore, elected to accept the recommendation made by the Law Commission in its 27th Report. Accordingly, sec. 115 has been retained in the Code subject to the modification suggested by the Law Commission in its 27th Report.

The Committee felt that the omission of sec. 132 would offend against the social custom and would also help unscrupulous litigants to compel the personal appearance in court of innocent and ignorant ladies who are not accustomed to appear in public. Accordingly, the Committee have recommended the retention of sec. 132 in the Code.

With a view to eliminating delays in the disposal of suits and proceedings, the provisions of the Code with regard to the following matters have been streamlined, namely: (i) service of summons on the defendants; (ii) appearance and filing of written statement by the defendants; (iii) examination of parties; (iv) filing of documents by parties; (v) summoning and enforcing the attendance of witnesses; (vi) examination of witnesses on commission; (vii) adjournments, and (viii) temporary injunctions. Further, the categories of suits which may be tried by a court in a summary manner have also been enlarged.

With a view to discouraging adjournments, a specific provision has been made in the Bill to the effect that if no step is taken on the due

date or if an adjournment is taken without sufficient reason, the defaulting party may be saddled with compensatory costs. Such costs will not be costs in the suit and payment of such costs will be a condition precedent to the further prosecution of the suit or defence, as the case may be, by the defaulting party.

It was felt by some hon. members of the Committee that inordinate delay is caused in the delivery of judgments. Some of them were strongly of the view that a rigid timelimit should be fixed for the delivery of judgments. While sentiments of the hon. members were appreciated, it was felt that fixation of a rigid timelimit will not be a practical one because the time taken in preparing and delivering judgments would vary from case to case, depending on the complexity of the case. The Committee have, therefore, recommended that if the judgment is not delivered at once after the conclusion of the hearing, it should ordinarily be delivered within 15 days from the date of conclusion of the hearing or if the judgment is not ready by that time, it should be delivered within 30 days from the date of conclusion of the hearing. But if the judgment is not ready even within 30 days, reasons for the delay should be recorded and a specific date should be fixed for the delivery of the judgment and notice of the date so fixed should be given to the parties concerned.

It is hoped that these provisions, if enacted, would go a long way to eliminate delays in the delivery of judgments.

With a view to eliminating delays, restrictions are proposed to be imposed on the right of appeal. The Bill, therefore, provides that there will be no first appeal in cases where the value of the subject matter does not exceed Rs. 3,000 except in cases, which involve any question of law. Similarly, the Bill provides that second appeals will not be allowed in

cases triable by the Court of Small Causes unless the value of the subject matter exceeds Rs. 2000. The Bill also seeks to restrict second appeals to cases involving substantial questions of law. Letters Patent appeals have also been proposed to be abolished. The Committee have also recommended that, as far as practicable, preliminary hearing of second appeals should be completed within 60 days from the date on which the appeal was filed so that second appeals, once filed, may not remain pending for an indefinite period without being admitted. Power of the court to grant stay of execution of the decree on the filing of appeal is also proposed to be restricted.

Sir, as you are aware, there is a saying that the trouble of the decree-holder begins from the date on which he obtains his decree.

SHRI SOMNATH CHATTERJEE (Burdwan). The Privy Council has said that

DR. V. A. SEYID MUHAMMAD: This is due to the elaborate procedure provided in the Code for the execution of decrees. The Bill seeks to streamline the said procedure. Another source of delay in the execution of decrees is sec. 47 of the Code. According to the definition of 'decree', an order under sec. 47 relating to execution, discharge or satisfaction of a decree has the force of a decree, and, as such, an appeal and a second appeal lies against an order made under that section. It is, therefore, possible for the judgment-debtor to defeat or delay the just claims of the decree-holder by filing successive applications under section 47. It is, therefore, one of the major weapons by which execution of decrees is delayed or defeated. The Committee have, therefore, recommended the amendment of the definition of 'decree' so as to provide that an order made under section 47 relating to execution, discharge or satisfaction of the decree will not have the force

of a decree. It is hoped that this salutary recommendation of the Committee would enable decree-holders to reap the fruits of the decree obtained by them without any unreasonable delay.

Sir, with a view to ensuring that the poorer sections of the community, who do not have the means to engage pleaders to defend their cases, may get a fair deal, a new rule, namely, rule 9A, is proposed to be inserted in order XXXIII to provide that where a person, who has been permitted to sue as an indigent person, is not represented by a pleader, the court may, if the circumstances so require, assign a pleader to him.

Further, with a view to ensuring that the poorer sections of the community are not harassed by arrest and detention for the recovery of petty amounts, the Committee have recommended that no person shall be detained in civil prison in execution of a decree if the amount of the decree does not exceed Rs. 500/-.

With a view to ensuring that the salaried employees are not harassed by continuous attachment of their salaries and that a larger amount of the salary may not become attachable in execution of a decree by reason of the merger of dearness allowance in the pay, the Committee have recommended that the first Rs. 400/- of the salary and two-thirds of the remainder shall be exempt from attachment and that the entire salary would be finally exempt from attachment after it has been subjected to an attachment for a continuous period of two years.

Sir, other details of the Bill have been explained in the Notes on Clauses as well as in the Report of the Joint Committee. I hope the provisions of the Bill, as modified by the Joint Committee, would go a long way in ensuring fair justice to the litigants and in eliminating delays.

[Dr. V. A. Seyid Muhammad]

Having regard to the objects sought to be achieved by the Bill, I hope the Bill would receive whole-hearted support of all the members of this hon. House.

With these words, I commend the Bill to the House for its acceptance.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963, as reported by the Joint Committee, be taken into consideration."

SHRI S. M. BANERJEE (Kanpur): The business advisory committee was to meet yesterday but it did not meet. Today also it has not met. I want to know what time has been fixed for this Bill?

MR. CHAIRMAN: The time recommended by the Government is 3 hours.

SHRI S. M. BANERJEE: There are 98 clauses. Time has to be allotted for the first, second and third reading stages. The Minister has read for about half an hour. Let us have 5 hours at least for this Bill.

MR. CHAIRMAN: It is 4.30 now and 3 hours are more than enough for today. Let us start and then see. I hope this will be communicated to the Government, Shri Chatterjee.

SHRI SOMNATH CHATTERJEE (Burdwan): Sir, I wish I could share the hopes expressed by the Minister that this is a Bill which will go a long way towards the elimination of the causes of delay in hearing the suits or making justice available to the large numbers of litigants who have to take recourse to courts of law or that it will result in a speedier disposal of cases.

Sir, I believe merely by changing the law of procedure simpliciter you cannot obtain proper administration

of justice. What has been sought to be done here, what I call dealing with the law of procedure, or the Code of Procedure, which was enacted in 1908, in gliblets, and tinkering with the provisions here and that is not the real approach to make structural alterations. We cannot get rid of the basic problem by making charges only, so far as procedural justice is concerned. I can assure my hon. friend, the Minister, with the little experience that I have got in the profession, from the subordinate courts to the Supreme Court—I am sure the hon. Minister's experience is still greater, because he has held high offices—that this will not solve the problem.

We talk of law's delays, but law's delays do not take place only because of the law of procedure. It is a misconception. Law's delays in the matter of procedure is no doubt relevant, but we have to have a proper judiciary. Inefficient judges will take a longer time; a weak bar takes a longer time. Then there is the question of adequate number of judges and the facilities available to the judges. I have heard subordinate judges complaining in open courts that there is no place even to keep the records, with the result that it takes hours to find the records. In the Alipore Court, which is perhaps one of the biggest district courts in the whole of India, numerous records are piled up with nobody to take care of them. The result is that it is difficult to find out the records. Getting even an ordinary certified copy will take months because of the simple reason that the records are not easily traceable. I have seen in the Alipore court myself that some rooms are leaking in one-storeyed buildings, even though it is the biggest district court in India. Of course, I am not saying that there is delay because of the leaking roofs. But that shows that you have to make proper facilities available to them. They do not want air-conditioned rooms, as the Ministers require. But



even the subordinate judges want a little proper place to sit and do their duty. They also want proper staff. They cannot work only with a chaprasi. At present they have got inadequate staff. Apart from the quality of Judges, to which I will soon come, they should be provided with the minimum facilities.

I am sure the hon. Minister knows—whether he can admit it or not, whether it reaches his ears or not, I do not know—that there is a standing complaint, at least in the subordinate courts that the vacancies are not filled up. I know the Minister will say that it is a State subject, but has he got any statistics as to how many vacancies are there in the courts of the subordinate judges?

Merely saying that the lawyers are responsible for the law's delay is not correct. In some cases, the lawyers are responsible. I am not saying that all lawyers are angels; in some cases they are responsible for the delay. But some judges are also responsible. You cannot single out a particular item and say this is the reason for the law's delay.

If you go through the provisions of the Bill, you will find that some of the provisions are a little better than what they were. But that will not solve any of the major problems which we face. Therefore, I want to know whether the Government has got any particulars, any statistics and what is their thinking in the matter. I know that the hon. Minister will say, and he is entitled to take that stand, that we cannot interfere too much in State matters and that the States do not have enough budgetary facilities.

What about the vacancies of Judges? If I am not mistaken, the other day we were informed that there were about 65 vacancies in High Courts. For how long have these vacancies been pending? The date of retirement of a High Court Judge is

known, unless you change it. Therefore, if a Judge is to retire at 62, why should not the process start well in time so that there may not be a day's gap in appointing his successor? This used to be done during the British days. I have been asking senior lawyers in Calcutta, and they say this never happened during the British days, that a Judge retires and there is no successor for one or 1½ years. It was unthinkable.

SHRI VASANT SATHE (Akola): They say they do not get competent lawyers.

SHRI SOMNATH CHATTERJEE: Then abolish the system. By this you will not get rid of the problem. Will you solve the problem by making amendments like this? Does it talk about filling up of vacancies? We are hearing about the fundamental duties of citizens, but is there no fundamental duty of the Government? The Government has to arrange for the proper administration of justice. Has the Government no duty to fill up the vacancies of Judges? How do we compel them? We ask questions and they say that they are looking into it, that the process has started and that it is continuing. I am fed up. I have been putting questions and I get the same reply. Even in the Consultative Committee the other day, the same stock answer was given. Not one word has been said by the Minister about this. In the Calcutta High Court, subject to correction, at least six vacancies are there. From time to time inspired news items are put up trying to say that in the Calcutta High Court there is so much of arrears, that the Judges are not working, the lawyers do not work etc.

SHRI S. M. BANERJEE: Allahabad.

SHRI SOMNATH CHATTERJEE: Mr. Banerjee's State perhaps has the greatest distinction in this respect. This is giving an incomplete and unreal picture to people who do not possess the facts.



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If you can get good people only on better salaries, then formulate some such thing. Or, if you cannot attract good people because of the service conditions or because of the threat of transfer which you have now imposed, it is your own choosing. If good people are not available, how do you wish to run this system of the administration of justice? These are matters which have to be looked into from a practical point of view. Do not always bring in politics. These things I am saying from personal experience.

Then there is another thing which should not be forgotten. Look at the output of laws. We are passing so many laws in this Parliament every year, and in the State legislatures also a huge number of laws are passed—not only legislations but subordinate legislations. Every day hundreds of statutory orders are passed affecting the daily lives of the people. I am not saying always prejudicially affecting, but they are concerning the ordinary people's daily affairs, their assets, property, living etc. There are larger areas of—if I may use the expression—conflicts between the citizens and the State, apart from conflicts between citizen and citizen which is there.

Now, for this, if somebody goes to the court and makes an application under article 226, there is nothing wrong. If I genuinely feel that I have been affected prejudicially by an order I can go to court. People are not always acting *mala fide*. It is not a fun to go to court; everybody cannot afford to go to court for the sake of the fun of it, for the luxury of litigation. This is a misconception. Only certain sections of the people who have enough money to spare and squander can go to litigation for the sake of the luxury of it. Certainly there are people who can control; if the judges are competent, they can control such

litigation. There are a larger number of cases today are coming before the court. Do not forget that today the State has rightly—I am not saying, wrongly—entered into commercial ventures. We welcome that; we support it and we would support many more things which Government should do in the public sector. So far as the commercial transactions of the State are concerned, so many statutory corporations have been set up; they are entering into ordinary, normal trading transactions which are giving rise to disputes. There are innumerable cases where contracts entered into between the Government and the ordinary contractor give rise to disputes. Government says, 'I forfeit your security deposit because you have failed to carry out the contract'. If the other party feels that it is being wrongly done, should it not have the opportunity to go to the court or get an adjudication through arbitration or some such procedure? You cannot blame him for trying to have an adjudication on the question of his rights *vis-a-vis* the Government or the statutory corporation as you would have the right to go against any private party. Therefore, cases are bound to increase, apart from the rise in population with the rise in the number and diversification of normal, human activities in this country which give rise to what are known as legal disputes. You can say that nobody can go to court. That is a different thing. I am talking of normal disputes. I am not talking about land disputes and all that, I shall come to them later; they are very important. If you do not shut the doors of the courts these ordinary disputes will go on. Even the small businessman will try to come and protect his rights. Do not impute motives to everybody, whosoever goes and files a suit against Government. Government does not always do things right. I wish I could take that view, but they do not do it. Now, with the larger number of litigation cases, with reduced facilities available, the number of vacancies going up, not being

filled up for months and years, how do you solve it? By making a few amendments here and there in the Code of Civil Procedure? You cannot do it without changing the very basic approach towards litigation or the method of settlement. If you have a court of law, then you have plaints, written statements, discovery, inspection, followed by interrogatories, oral evidence, written evidence and what not and then appeal, revision and all that; the whole gamut is there except that wonderful thing—I am sorry for saying this—that even the lawyer's illness is no ground for adjournment—this is a new innovation that you have thought of in reducing delay.

I wish I could agree with the hon. Minister that the passage of this Bill would bring about revolutionary changes in the legal procedure in the country or in the administration of justice. That will not happen—take it from me—in spite of the best wishes of the judges. I can tell you, judges are changing their attitude these days. I have said that earlier in this House. Some of them are getting views that some entities can do no wrong. Even then, with their best efforts, it is not possible to dispose of a case speedily with the present system of procedure, given the other things or the other loopholes being plugged. Therefore, my sincere view in this matter is this. The way these amendments have been brought about will not solve the crying problems of administration of justice in this country. It will not. Law's delays cannot be remedied in the manner it has been done. Law's delays are not necessarily deliberate. I want this to be placed before the hon. Members. It is not always deliberate. It is involved in the very process of the administration of justice that has been evolved in this country for years and it has been followed. Therefore, what is necessary is a complete structural alteration and Village Panchayats, People's courts, village courts and

District Courts and ouster of jurisdiction of the courts in certain cases. It has to be done from the overall point of view. You cannot have it like this.

SHRI VASANT SATHE: Let us go back to the age-old Panchayat system. I think that way we will get justice, quicker and cheaper.

SHRI SOMNATH CHATTERJEE: To-day we are discussing unfortunately this Amending Bill and I am only referring to the great hopes which the hon. Minister has thrice expressed in the course of his speech, namely, the hopes that this Amendment Bill is expected to revolutionise the entire administration of justice. That is too much. Nothing like that will happen and I want the hon. Minister to tell us what the Government is seeking to do. This is the aspect on which I want a categorical answer from the Government. Please do not always make the judges or the lawyers or the litigants, unscrupulous litigants as they are called, scapegoats. It is very easy to find scapegoats. I do not want to but I can also make the government a scapegoat. I do make it, not a scapegoat but I say that you are also very much a party to it. You are very much a party to it. Therefore, you also have to accept your share of responsibility in the matter and answer to the people of this country. I want to know. Does the Central Government which is responsible for passage of Bills like this consult the State Governments as to how to expedite the disposal of cases consistent with the sense of justice? One of our former Chief Justices used to say, 'The tendency sometimes is to dispose of cases but not to decide it.' I think nothing better has been said of the attitude of some of the persons who are very keen to merely show a record that 'I have disposed of 100 cases to-day. Therefore, in Delhi my marking will be better.' Therefore, that is not the proper barometer for

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deciding whether you are administering justice. The question is: are you deciding consistent with the principles of fair-play and justice? Are you giving a fair opportunity to the people to come to the court and get adjudication of the disputes which have unfortunately arisen? At least I can say it with confidence that 90 per cent of the litigants do not like litigation but they are forced to go to courts. Therefore, are you doing anything? Have you provided something for them so that they will have not only faith in your justice but they will have it cheaper and speedily and when they come out of the court they have a feeling that they have at least a proper decision by efficient persons. This should be the attitude. So long as you are maintaining the present system and, for that matter, I think in any system of administration of justice, when I am forced to take recourse to the court, at least I must know that I am getting proper opportunity. There should not be any undue delay. There should not be any undue costs. There should be speedy disposal and what is foremost is that I shall get a proper approach that justice is at least sought to be done. These are the basic matters, I submit, in the basic context of our system of administration of justice which has to be assured to the people, but nothing has been done.

When we are hearing about .

MR. CHAIRMAN: The hon. Member's time is over.

SOME HON. MEMBERS: Let him speak.

MR. CHAIRMAN: No question of 'let him'. The time allotted for the Bill is 3 hours. Their quota is only 8 minutes but I have given him 20 minutes. I should know how much time he will take.

SHRI SOMNATH CHATTERJEE: This will be a denial of justice without proper hearing. A Bill like this coming up after so many months years and after having gone through various processes...

SHRI VASANT SATHE: Let him take another 15 minutes

SHRI SOMNATH CHATTERJEE: Here is another Co-Chairman who has come to my help.

MR. CHAIRMAN: No Co-Chairman. He is just a Member there. I will give you ten minutes more and you please finish.

SHRI SOMNATH CHATTERJEE: But subject to another extension.

Mr Chairman, I am very much obliged to you for kindly extending the time.

It is our concern that the citizens should not be deprived of obtaining remedy against the Government. Regarding this particular matter which has been recommended by the Law Commission, which has been accepted by the Law Ministry in its good sense, which has been included in the draft Bill for due consideration, it has now been resurrected in a more unworkable form. Please see Section 80. This is the bone of contention for everybody. We are talking of commercial activities, trading activities and so on. These days the emphasis is on speed. Even prejudicial activities are carried on speedily against the citizens. Prejudicial activities are not against the State alone. Prejudicial activities can be there against the citizens too. Here it says that suits may be instituted with notice but it can be dispensed with in case of urgent and immediate relief. Then no notice need be given with the leave of the court. But what follows that completely nullifies everything. It says that the courts shall not grant relief in the suit, whether interim or otherwise, except after giving to the Government or public officer as the case may be, reasonable opportunity.

What is reasonable opportunity here? The minimum time for Government is three weeks. Whenever Government asks for time for filing affidavits in writ proceedings, the minimum time is 3 to 6 weeks. They say, we will have to send this to Delhi. Take the case of a demolition order. Not all orders of demolition are good orders; not all orders of punishments or dismissals are good orders. What can I do? I cannot do anything. You are reducing the scope of Art. 226 and you are taking away Art. 227. That is why section 115 has been inserted. You say, no no, you cannot ask for any immediate or urgent relief. If a suit is filed in Kerala against the Central Government which is in Delhi, how long time will the Minister's lawyer ask in Kerala, to contact Delhi and file an affidavit etc? So, they are making a mockery of it. Therefore, three or four weeks time will be taken and in the meantime other methods will be applied.

The second thing is very important. How many notices under Section 80 till today have been considered by the Government? Two months' time is given to them so that public money may not be wasted in fruitless litigation. The principle behind it is this. If there is any genuine ground, the Government ought to consider within 2 months and take a decision.

This is the principle behind it. In how many cases, section 80 notices were taken note of? Has anything been done? No, not even 0001 per cent. Therefore, the very basis is that Government should not be caught unawares; an opportunity should be given so to say for the settlement procedure being involved. Those who want to settle settle it before the notices are given. They have got their own methods to settle with the Government—I do not know that; we only hear. Therefore, those who decide to go to the court, give notice under Section 80 and Government takes notice of that. This is a mockery of procedure, trying to give relief to

the ordinary citizens of the country against the mighty State. The State has got much better resources nowadays to resist the claim. They have got ample panels of lawyers—eminent lawyers—and they can engage them; they have got all the wherewithal. They can get somebody from Calcutta to Delhi in a few hours or somebody from here to Calcutta. There is no dearth of resources and funds. But, so far as the ordinary citizens are concerned, they do not get any protection from anybody.

You have given me very short time.

MR CHAIRMAN: I have given you 20 minutes.

SHRI SOMNATH CHATTEJEE: Every moment I am expressing my thanks. So many things have to be said about legal aid. We are saturated with the Committees and recommendations which are either not published or even if they are published, are not considered by the appropriate authority; if considered, no decision is taken. Then what happens? What is the provision in this bulky volume for really helping or reducing the cost of litigation or dismissing the people or those who have been ousted from their lands—burgedars of the lands or ordinary people, small grocers and traders who are being floundered by the self-styled authorities and other authorities? There are ample cases of small business. If somebody goes there and makes an attempt that he cannot meet, then notices are given. This is what is happening. What is the provision that you have made? You are talking of so many programmes. If you believe in justice being afforded to the common citizens or poor people of this country, you have abjectly failed. In this provision instead of calling them as paupers, you are calling the paupers under the provisions of the existing Code as indigent. It is just a joke; I call it a joke because there is no change in the procedure by calling the people whom you used to describe as paupers as

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indigent. "You" may say that you are taking such a bold step that the indigent litigants may be helped by the lawyers. There is nothing new in this. Everyday in the court it is happening that if somebody appears as a pauper, some lawyer is readily available to help him without the Government's letting anyone to help him. This is nothing new. Government has failed to provide either speedy justice to the ordinary people or to make justice cheap in the sense that it is less expensive or justice is meaningful to the ordinary people.

The other day we were told in some other place that over Justice Krishna Iyer Committee another Committee has been appointed headed by Mr. Justice Bhagwati. Mr. Justice Bhagwati and Mr. Justice Krishna Iyer will consider the earlier report. Now, there would be a five-judge Bench to consider this Division Bench Report which will come up. But, there would be no legal aid for anybody. Legal aid under the Cr. P. C. is less than an apology! Here there is not even an attempt made. The only good thing that you have said is about the pious wish expressed by the Joint Committee. You only hope that a sort of uniform code will be adopted by the different high courts.

16.50 hrs.

[SHRI VASANT SATHE in the Chair]

So many emergency pieces of legislations are being made applicable to the States. Why cannot court fees be reduced by the exercise of your emergency powers? Why can't you give a little direction here and there? If this were done, then the ordinary people of this country would have appreciated that emergency powers have been taken for the good of the people of this country.

17.00 hrs.

Therefore, Sir, my submission before the hon. Minister is that he should give us a plausible answer as to how

immediate and urgent relief can be obtained by amending Section 90 in the manner you have done.

Then a word about the second appeal and the revision. What has been provided is that the right for second appeal will be taken away. Supposing a single Judge decides a matter of constitutional importance or a question of law which has never been decided earlier you want to make it final and no further appeal shall lie from the judgment, decision or order of such single Judge in such appeal or from any decree passed in such appeal. So far as Section 100 is concerned it is against the decree involving substantial question of law. There are so many criterions laid down and I do not know how it will be applicable in reality.

With regard to caveat a new system has been evolved which is applicable in Supreme Court. The Supreme Court does not deal with day to day litigation. Section 148A reads:

"Whereas caveat has been lodged under sub-section (1),..... shall serve a notice of the caveat".

What will happen if caveat is lodged? Can appropriate orders be passed? How long they will wait for notice to be given! This is wholly unworkable. In appropriate cases by just filing a caveat and not accepting notice for some time a real urgent matter can be stifled.

Sir, regarding adjournment please see how mechanically things are intended to be done. I quote from page 39:

"where the illness of a pleader or his inability to conduct the case for any reason, other than his being engaged in another Court, is put forward as a ground for adjournment, the Court shall not grant the adjournment unless it is satisfied that the party applying for adjournment could not have engaged another pleader in time."

Supposing, Sir, while getting ready for the court I get unwell and decide that I should not attend the court then how shall my client satisfy the court between 10 A.M. to 10.30 A.M. that the lawyer is unwell at home. Here it makes a mandatory provision that he shall not grant an adjournment. Judges are treated as ordinary administrative agencies. Why don't you leave it to their good sense to decide. By this an impression is sought to be given that the lawyers are responsible for delaying the cases whereas the Government is very much concerned over it and is with the ordinary man. The Government wants the matters to be decided but the lawyers—these sharks—are responsible for taking adjournments.

This sort of attempt I am resisting. As I said earlier, I do not say that all the lawyers are faultless. Everybody has got his own faults. But I want to say that these are some of the matters which require much deeper consideration.

I would like to know from the hon. Minister what is the proposal regarding legal aid. At least let the House be told about it. They must formulate it. Instead of the vague answers that we are used to in the past, let us have some categorical reply. What is the nature of the thinking of the Government? How do you propose to formulate it? How do you propose to implement it? Who are the persons who will be benefited?

We have known of industrial tribunal cases where the awards are challenged in High Courts. What is happening? The company engages a big lawyer. What is the fate of the dismissed employees? Nobody thinks of them. At least you do not think of them. What have you provided for them? Now, even if an award is in favour of the employee, he does not get any benefit. Matters are kept pending and are argued for days. Up to the Supreme Court, it is an easy passage for the company. How many

instances do you want? I can give you hundreds of them, but this is not the place.

So far as dismissal cases are concerned, so far as 228 proceedings are concerned, how many cases are there? Do the Government think of these? Things? They do not get any benefit.

What about the rural people? What about the land problems which are cropping up every day? Bhagchasis or sharecroppers are being driven out; burghedars have been evicted. Who is protecting them? Even in the district courts in the subordinate courts, they have no protection. Even before the statutory authorities, they have no protection. They do not even quite appreciate the notices sent to them.

AN HON. MEMBER: So far as land problems are concerned, revenue courts are there.

SHRI SOMNATH CHATTERJEE: They can go to revenue courts raising questions about title and all that. Even in revenue courts, have you made any provision for them?

What is the position with regard to people below the poverty line? I am reading the answer of Government: in 1970-71, 74 per cent of the rural population were below the poverty line. When I had a question today, the written answer they have given is that they have no statistics. You have not even the statistics of the people below the poverty line. You are talking of national plans, you are talking of so many points of programmes. If you do not know how many poor people are there in your country, what sort of plan are you going to evolve? I can understand you can easily formulate plans for the rich people because you know how many rich people are there.

MR. CHAIRMAN: You could have got the answer to your question this morning. You were absent.



**SHRI SOMNATH CHATTERJEE:** They have not got the data. I am very sorry; it was beyond my control. This was the position. Therefore, I gave authority to Shri Dinan Bhattacharya. They say they have not got a survey made. Therefore, you are formulating plans, programmes and ideas of legal aid and all that without knowing how many poor people you have got in this country. This is your performance.

They say 'After a long time, we find the Civil Procedure Code has not been amended substantially. Therefore, let us take it up, and at least try to show that we have bestowed a lot of thought to that. We want to simplify the procedure and we are trying to do the best for you, but these vested interests like the judiciary, the lawyers etc are not allowing us to do good to you'. This is the impression sought to be created and I am opposing it. I say this will not meet any of the burning problems. This will not make justice readily available to the people. It does not even come to the people. It does not even come to the people of this country. They are nobody's child so far as this Government are concerned.

श्री भूल चन्द झाणा (पाली) :  
समापति जी, मैं सौभाग्य से इस कमेटी का सदस्य था और मैं गर्व के साथ कह सकता हूँ कि जो मौजूदा कानून था उस में काफी तबदीली की गई और इमलिये की गई कि किस प्रकार में न्याय जल्दी मिल सके । माननीय सोमनाथ जी ने ला कमीशन की रिपोर्ट को कोट किया, लेकिन दूसरी जगह उमी ला कमीशन ने क्या कहा वह भी मैं पढ़ कर सुनाना हूँ

"Grant of adjournment for the convenience of a counsel is a practical and not a legal problem. Civil work is generally concentrated among a few leading lawyers. There is always a desire for the members of the Bar to accommodate each other. Although under the law a

judge can refuse an adjournment on the ground of convenience of a counsel, in practice he rarely does so. A judge becomes unpopular if he refuses adjournment on such grounds. The remedy for this evil, however, lies in the hands of the Bar and a strong judiciary"

अक्सर बड़े बड़े वकील होते हैं जो बहुत ज्यादा मुकदमे ले लेते हैं, समापतिजी, शायद आप को भी इसका अनुभव होगा, और वह कोर्ट्स से ऐडजोर्नमेंट ले लेते हैं । तो जोइट कमेटी ने यह उचित समझा कि या तो कनविन्स करे कोर्ट की कि इस कारण से वकील हाजिर नहीं हुआ, नहीं तो जजेज खुद भी ऐडजोर्नमेंट न दें क्योंकि इस प्रकार जजेज अनपुलर हो जाते हैं । ला कमीशन की भी यही सिफारिश थी कि जजेज को पोपुलर होना चाहिये, न कि अनपुलर । अभी यह होता था कि बड़े बड़े वकील मुकदमों की ठेकदारी ले लेते हैं, अलग अलग हाई कोर्ट्स में, और वह कोर्ट में नहीं आते हैं । इसलिये यह रखा गया है कि जब तक कनविन्सिंग रीजन्स न हों तब तक ऐडजोर्नमेंट नहीं दिया जायगा । अगर कोई वकील बीमार पड़ जाय तो मेडिकल सर्टिफिकेट पेश करे और वह कसीडर किया जायगा ।

सेक्शन 80 के बारे में ला कमीशन ने बार बार कहा अपनी 27वीं रिपोर्ट में जिस से एक पैराग्राफ में पढ़ना चाहता हूँ

"When section 80 was originally enacted, India was a dependency under foreign rule and the main function of the government was maintenance of law and order. India is now a free country and a Welfare State. It engages in trade and business like any other individual. A Welfare State should have no such privileges in the matter of litigation as against a citizen, and should have no higher status than an ordinary litigant in this respect. Experience

has also shown that the provision of this section has worked great hardship, particularly in suits relating to injunctions. For these reasons, we have recommended omission of the section. While recommending the omission of the section, the Fourteenth Report suggested the insertion of a provision in the Code of the effect that if a suit against the Government or a public officer is filed without reasonable notice, the plaintiff should be deprived of his costs in the event of a settlement of the claim by the Government or public officer before the date fixed for the settlement of issue. We do not think that such a statutory provision is necessary. In another place, the Fourteenth Report contains the following passage:

"Generally the filing of suit is preceded by an advocate's or solicitor's notice demanding redress, and these notices form the foundation of the suit which is filed subsequently."

एक वैनफेयर स्टेट के अन्दर एक व्यक्ति का जो स्टेटमेंट है और स्टेट के स्टेटमेंट में फर्क क्यों किया गया और डमनिये मेक्शन 80 रिक्मेंड किया और ला कमीशन ने अपनी 54वीं रिपोर्ट में कहा है :

"One of the most important sections in this part is section 80. We fully concur with the recommendation made in the earlier report for the repeal of section 80."

अब आप ने ला कमीशन की एक सिफारिश को मन्जूर किया और दूसरी को किया, और सेक्शन 80 की क्या हालत हुई ?

स्टेट को हजारों नोटिस देने के बाद भी जवाब नहीं दिया जाता है, फिर भी

मिनिस्टर साहब चाहते हैं कि सेक्शन 80 को रखना चाहिये। पहले प्रमेडमेंट में सेक्शन 80 को ओमिट किया गया था। अगर क्लर्कटर मेरे मकान को लेना चाहता है और मैं उसको स्टै करवाना चाहता हूँ, तो कहा जाता है कि अब तक आप नोटिस नहीं देंगे, तब तक आपको इंटरिम आर्डर नहीं दिया जा सकता है। इस तरह मेरा परपक्ष फ्रस्ट्रेट हो जायेगा।

हम लोगों की राय है कि सेक्शन 80 को ओमिट कर दिया जाये और मुझे आशा है कि मिनिस्टर साहब इस पर एक बार फिर विचार करेंगे।

अगर मैं रेलवे पर कोई दावा करना चाहता हूँ तो सेक्शन 78 के मुताबिक मुझे 2 महीने का नोटिस देना पड़ेगा। इसी तरह सिविल प्रोसीजर कोड के सेक्शन 80 में नोटिस देने की बात कही गई है। मैं कहना चाहता हूँ कि एक वैनफेयर स्टेट में नोटिस का मामला हट जाना चाहिये।

यहां पर कहा गया है कि इतना बड़ा सिविल प्रोसीजर कोड लागू करने के बाद ही लोगों को सस्ता न्याय मिलेगा। ला कमीशन ने कहा है कि जब तक कोर्ट-फीस है, तब तक लोगों को सस्ता न्याय नहीं मिल सकता है।

The Recommendation of Law Commission in the 27th Report says:

"It is one of the primary duties of the State to provide the machinery for the administration of justice, and on principle it is not proper for the State to charge fees from the suitors in court."

बाद में ला-कमीशन ने फिर रिक्मेंड किया कि कोर्ट-फीस बहुत हैवी हो गई है, उसको कम कर दिया जाये, वरना कोई गरीब आदमी अदालत में न्याय नहीं ले सकता है।



[श्री मूल चन्द डागा]

The Law Commission in their 54th Report say:

"It is one of the primary duties of the State to provide the machinery for the administration of justice, and on principle it is not proper for the State to charge fees from the suitors in court."

The same recommendation has been repeated after 15 years.

ला-कमीशन ने 15 साल के बाद अपनी बात को फिर दोहराया है। अगर एक भ्रामदी कचहरी में जाता है, तो उसको कोर्ट फीस के लिए 200 रुपए और वकील के लिए 500 रुपए अर्थात् कुल 700 रुपए खर्च करने पड़ेंगे।

आप जब कहते हैं गरीबों को न्याय दिलाना है तो गरीब भ्रामदी तो न्याय पा नहीं सकता है। यह ला कमीशन की रिपोर्ट्स में लिखा है और ज्वाइंट कमेटी ने अपनी रिपोर्ट में रेकमेंडेशन किया है, गवर्नमेंट से कहा कि सारे हिन्दुस्तान में एक यूनिफार्म ला होना चाहिए जिस के आधार पर कोर्ट फीस कम होनी चाहिए। यह नहीं होना चाहिए कि कोर्ट फीस के जरिए आप भ्रामदानी पैदा करें। लोगों को हजारों रुपया कोर्ट फीस में देना पड़ता है। एक रेकमेंडेशन यह भी है कि अगर अपील सबसेसफुल हो जाती है तो कोर्ट फीस लौटानी चाहिए। उन्होंने यह रेकमेंडेशन किया है कि सस्ता न्याय तब होगा जब कोर्ट फीस आप कम कर देंगे। आज भ्रदालतों में एक तरफ तो कोर्ट फीस इतनी बढ़ गई है दूसरी तरफ वकील लिखते तो हैं 500 रुपया और लेने हैं 2000 रुपया। पावर आफ एटार्नी में गलत लिखते हैं। फिर आफिसेज का पैसा, इंस्पेक्शन का पैसा... (व्यवधान)... मैं यह कहता हूँ कि आप कोर्ट में जाते हैं इंस्पेक्शन के लिए तो पहले आप को उस के लिए पैसा देना पड़ता है। चेयरमैन साहब तो जानते हैं, उन्होंने यह सब काम किया हुआ है। किसी अर्जेंट काम के लिए इंस्पेक्शन करना हो तो

पांच रुपया फीस लगानी पड़ेगी। गरीब भ्रामदी का पैसा लबा कर फिर आप इंस्पेक्शन कर सकते हैं। और ऊपर की जो कार्यवाही होती है वह तो आप जानते ही हैं। वह मैं कहना नहीं चाहता। एक सर्टिफाइड कापी लेना चाहते हैं तो उस के लिए फीस देनी पड़ेगी। मेरा कहना है कि जब कभी कोर्ट में बयान हो तो उस की तीन कापी निकलनी चाहिए। एक कापी प्लेंटिफ को मिलनी चाहिए एक डिफेंडेंट को। आज कोर्ट्स के अन्दर जो हालत है मैं तो ताज्जुब करता हूँ, किस तरह किसी को न्याय मिल सकता है? नया प्रोसीजर जो दिया है वह मैं पेश करूंगा। आज एक कोर्ट होती है उस में दो काले कपड़े पहने हुए वकील दो तरफ खड़े होते हैं, उधर जज होता है और इधर एक गांव का भ्रामदी भ्राता है, भ्रमरावती का बिलकुल ठेठ, वह बैचारा कहता है यह कौन खड़ा हैं चश्मा लगाए हुए और टाई पहने हुए, वह छबरा जाता है। उधर जज साहब अपना चश्मा बदलते रहते हैं और कलम से लिखते जाते हैं। गांव वाला कहता है क्या है यह सब। यह न्याय नहीं है। वह कोर्ट जहां वह कभी अभीयर नहीं हुआ वहां उस की विटनस होती है। उस के लिए मैं आप के सामने अभी कोर्ट करता हूँ, किस तरह से ये कोर्ट्स एक मजाक हैं। इन के अन्दर जाते हुए भ्रामदी किस तरह से हिचकिचाता है। हमारे राम सहाय पांडे जी बहुत ज्यादा बोलते हैं। इन को कभी कोर्ट में खड़ा किया जाए तो इन की आवाज नहीं निकलेगी...

श्री राम सहाय पांडेय (राजनंदगांव) : श्रीमन्, मैं दो जगह नहीं जाना चाहता एक कोर्ट और एक शमशान।

श्री मूल चन्द डागा : आप देखें न्याय के घर के बारे में एक संसद सदस्य आज यह कह रहे हैं कि मैं न्याय के घर में नहीं जाना पसंद करता। यह इस बात का संकेत करता है कि वहां न्याय किस तरह से मिलता है...

श्री राम सहाय पांडेय : मिलता ही नहीं।

संशोधित महोदय, शायद वह जानते हैं कि वे दोनों चीजें टल नहीं सकतीं।

श्री मूल चन्द्र शर्मा : अब मैं कोट करता हूँ।

I am quoting from "Law, Justice and Politics" by Gavin Drewry, Lecturer in Government Bedford College, University of London. The Chapter on "Courts and Lawyers" opens with these quotations:

"The first thing we do, let's kill all the lawyers."

William Shakespeare, Henry VI, Part II.

"A broad doorway leads into a fake-medieval hall, like a stripped-down cathedral, adorned with big black-letter notices announcing 'Lord Chief Justice's Court', or 'Wash and Brush Up'. Dark-suited men carrying blue or red bags walk into a room by the entrance, and emerge a few minutes later solemnly wearing gowns, tabs and horse-hair or nylon wigs."

Anthony Sampson, describing the Royal Courts of Justice.

कोर्ट में जो एक साधारण घादमी जाता है वह बड़ी तकलीफ में पड़ जाता है। बेयरमैन समूह जब यहां बैठे थे तो उन्होंने भी एक बात कही, वह कहने लगे कि इन की जगह तो हमें पंचायतों में जाना होगा। इस का कारण क्या है? इस का कारण यह है कि हमें अच्छे और ईमानदार जज नहीं मिलते। ये मुंसिफ और जितने लोग ये हैं इन को जब तक अच्छा पैसा नहीं देंगे तब तक अच्छे जज और अच्छे मुंसिफ नहीं मिलेंगे। आज सबसे बड़ी बात यह है कि न्याय सस्ता भी नहीं है और न्याय इसलिए भी नहीं मिलता जसा कि आप अभी कह रहे थे कि अच्छे और ईमानदार लोग नहीं मिलते, काबिल जज नहीं मिलते हैं क्योंकि आप उनको बोझ पैसा देते हैं।

इस सम्बन्ध में सा कमीशन ने रिकमेण्ड किया है :

"Before parting with the topic of delay, we would again emphasize the part which the human factor plays in the efficient and impartial administration of justice. It need hardly be stated that the success or failure of any procedural law depends upon the men who administer it. A law of procedure, however perfect, will fail in its purpose unless the men who administer it are men of ability and are imbued with a missionary zeal for doing justice, and unless they receive in this task the cooperation of members of the Bar."

किानी ही जील हो मिशनरी, स्प्रिट हो लेकिन जब तक यह नहीं होगा तब तक आप कितने ही कानून बना दीजिए, कोई फायदा नहीं होगा।

"If the judges are high-minded, able and fearless and if the members of the Bar also share their zeal, we have no doubt that the problem of delay, which now threatens to bring the entire administration of justice into disrepute, will be solved to the satisfaction of the litigating public and the community at large."

आज कोर्ट्स की हालत क्या है? वहां पर किनाबें नहीं हैं, बैठने की जगह नहीं है। वहां पर वकीलों के खड़े होने की जगह नहीं है। कोर्ट्स में स्टेनो नहीं हैं। हाई कोर्ट्स की मांग रहती है ज्यादा कैसेज डिस्पोज करो। वे कहते हैं ठीक है, हम जल्दी जल्दी कैसेज डिस्पोज आफ कर रहे हैं। आपको ईमानदार घादमी तभी मिलेंगे जब आप उनको पूरी तनख्वाह देंगे। आज कोई वकील नहीं चाहता कि मैं मजिस्ट्रेट या मुंसिफ मजिस्ट्रेट बन जाऊ क्योंकि आप उनको ज्यादा से ज्यादा दस हजार रुपये देंगे जबकि वे 5 और 10 हजार महीने में कमाते हैं। आप कितने भी कानून बनायें, कानून को

[श्री मूलचन्द डागा]

बलाने वाले होशियार होने चाहिए—यह एक फंडामेंटल बात है।

अब मैं ने जो एक नई बात कही है उस पर आप गौर फरमायें। मैं ने कहा किस तरह से आप कोर्टस से सस्ता न्याय दिला सकते हैं। मैंने इनकी सेवा में एक सजेशन दिया था जिसको माना नहीं। फिर भी मैंने जो सजेशन दिया है उसको मैं सपोर्ट करूंगा। मैंने प्री ट्रायल कॉन्फेंस का सजेशन दिया है।

"Unless the Procedure is simple, expeditious and inexpensive, the subsequent laws, however good, are bound to fail in their purpose and object. Hence, I suggest for pre-trial conferences in the following terms:

"In any action, the court may in its discretion direct the attorneys for the parties to appear before it for a conference to consider—the simplification of the issues; the necessity or desirability of amendments to the pleadings, the possibility of obtaining admission of fact and of documents which will avoid unnecessary proof; the limitation of the number of expert witnesses; the advisability of a preliminary reference of the issues to a master for findings to be used in evidence when the trial is to be by jury; and such other matters as may aid in the disposition of the action."

जब फेमिली मैटर्स हो तो वहां पर जज दोनों पार्टीज को बुलाकर एक साथ खड़ा करे और उनसे पूछे क्या झगड़ा है, क्यों झगड़ा है, क्या कारण हैं, आप किस तरह से नजदीक जा सकते हैं, क्या आपका प्वाइंट आप व्यू है और कौन से डाक्यूमेंट्स हैं। मैंने कहा जिस कोर्ट में कोई दावा करे, रिटर्न स्टेटमेंट बायर हो तो दोनों पार्टीज को बुलाकर जब उनसे बात करे। उस को पिन-प्वाइंट करे कि तुम्हारा झगड़ा

क्या है। अब यह कहें कि हम फलों वस्तावेज को मानते हैं तो उसको लेकर बयान लिये जायें। इस तरह से जज मामले को बहुत आसानी से समझ जायेगा। लेकिन दिक्कत यह है कि जब के पास इतने केसेज होते हैं कि वह केसेज पर पूरी तरह से ध्यान ही नहीं दे पाता है। रीडर आबाज सबबाता है—“वकील थार० एस० पारबेय हाजिर हो”, इसके बाद जबाब दावा पेश हुआ, फिर कह दिया जाता है—“वास्तो तमकियात फलां तारीख को पेश हो।” ईशूज के लिये फलों तारीख को आओ। उस तारीख पर गये, जज साहब बीमार हैं, फिर आगे की पेशी लग जाती है। इस तरह से तीन-तीन पेशियां लग जाती हैं, मुकदमा शुरू ही नहीं हो पाता है। इसीलिए मैंने यह कहा है कि पहले ही दिन दोनों पार्टीज को हाजिर करो और उस दिन जज साहब को प्री-ट्रायल-कॉन्फेंस करनी चाहिये।

SHRI N. E. HORO (Khunti): But can they have their lawyers?

SHRI M C DAGA: They can come even with their lawyers. We have no objection.

पहले दिन लायर्स ने बिना आये तो अच्छा है ताकि उनमें दिमाग का शार्ट-डाउन करके मामले की तह पर पहुंचा जा सके, इस तरह से काफ़ी फायदा होगा। इसके लिए ला-कमीशन ने भी रिकमेंड किया है और हम बान को माना है कि इस तरह से काम करने से कुछ फायदा हो सकता है। इसलिये अब आपकी इच्छा है, इसको मानें या न मानें। मैं आपको यह भी बतला दू कि इस चीज पर अमरीका में एक्सपेरिमेंट हुआ है और उन्होंने यह नतीजा निकाला है कि इस तरह प्री-ट्रायल-कॉन्फेंस कर के मुकदमों को जल्दी निबटाया जा सकता है।

इसलिये मैं आपसे प्रार्थना करूंगा कि इस चीज को लागू करें, इसको लागू करने से खर्च लाग होगा। आपने इसमें ऐसा कहा है

कि—कोर्ट एन्वीयर करेगा—दोनों पार्टीज को बुला कर बुनेगा। मेरा यह कहना है कि उनको उसी दिन बुलाया जाय और उनके साथ डिस्क्शन हो—दोनों पार्टीज के लिए इस में मैजिस्ट्रेटी प्रावीजन होना चाहिये। उनको बुला कर उनको पूछा जाय, बयान लिये जावें कि झगड़ा क्या है। एक चीज मैं यह चाहता हूँ कि अगर किसी जमीन का झगड़ा हो तो जज वहाँ जाकर मोके को देखें और साइट-इंस्पेक्शन के बाद बयान ले। अगर ऐसा नहीं होगा तो केस बहुत लम्बा चलता रहेगा।

अब थोड़ा सा मैं सैक्शन 80 के बारे में कहना चाहता हूँ। इंजंक्शन के बारे में सिविल प्रोसीजर कोड में कुछ अच्छे क्लॉज रखे गये हैं, मैं उनकी तरफ आपका ध्यान दिलाना चाहता हूँ। अक्सर कोर्ट में जो पैसेवाले होते हैं, वे जाते हैं, सूट फाइल करने के बाद वे परमानेंट इंजंक्शन लेने की कोशिश करते हैं और कई दफा उनको एक्स-पार्टी टैम्पेरेरी इंजंक्शन मिल जाता है। इसके बारे में जब सिविल प्रोसीजर कोड में एक टाइम लिमिट रख दी है कि दूसरी पार्टी को मुनकर ही कोर्ट फीमला करेगा—यह मेरे ख्याल में एक बहुत अच्छा प्रावीजन है। एक सब से बड़ी बात यह है पहले किसी भी आदमी को जेल में रखा जा सकता था। कोई बड़ा आदमी आकर बयान दे दे कि इसके पास बहुत साधन हैं, बस उस को जेल भेज दिया जाता था। अब ऐसा नहीं है—कोर्ट अब किसी भी ऐसे आदमी को जेल में नहीं रखेगा जिसकी आमदनी हजार रुपये से कम हो। एक दूसरी बात यह है—कि किसी आदमी से पैसा तब लिया जायगा, जब उसके अन्दर देने की ताकत हो, लेकिन पैसा न होने के कारण उसको जेल में नहीं रखा जाएगा। अब टैम्पेरेरी इंजंक्शन को लेकर मुकदमे साखों तक नहीं चलेंगे और जब मुकदमा शुरू होगा तो उस की डे-टु-डे हीयरिंग होगी।

एक दफा गवाहियां शुरू हो गईं तो डे-टु-डे हीयरिंग होगी और तब तक चलनी रहेगी जब तक वे समाप्त न हो जाएं। अब तक ऐसा होता था कि ऐसा लिख दिया जाता था कि जज साहब को समय नहीं है इस वास्ते दो महीने बाद पेशी होगी। फील्ड्स की जज साहब को जानकारी ही नहीं होती थी। डे-टु-डे हीयरिंग रख कर आपने बहुत अच्छा काम किया है।

इंटरेस्ट के बारे में भी बहुत अच्छी बात की है। कांट्रेक्ट जब होता था पहले तो उसके आधार पर ब्याज लिया जाता था। आप तो जानते ही हैं कि मनी लेंडर्बैंकों का क्या हालत होती थी। जो ब्याज लिख दिया जाता था उसको सही मान लिया जाता था। अब आपने यह कहा है कि नेशनलाइज्ड बैंक का जो रेट है उससे ज्यादा ब्याज किसी भी सूरत में नहीं दिया जाएगा, फिर चाहे कांट्रेक्ट कुछ भी क्यों न हो। यह भी ठीक बात है। यह नया कदम सराहनीय कदम है।

बकील साहब दूसरी कोर्ट में लगे हुए हैं इस वास्ते उनके पास समय नहीं है इस कारण से जो केसिस लटकते रह जाते हैं थे, इस चीज को हटा कर आपने अच्छा काम किया है। जब तक सफिसेट काज न हो तब तक इस चीज को माना नहीं जाएगा इस चीज को रख कर एक सराहनीय काम किया गया है।

अब आप प्रिलिमिनरी और फाइनल डिक्वी को लें। प्रिलिमिनरी और फाइनल

### [श्री मूलचन्द डागा]

डिक्री के केसिस कई वर्षों तक चलते रहते थे। मार्टगेज के सूट हैं। उन में पहले प्रिलिमिनरी डिक्री हांती थी और उसके बाद फाइनल। इस चीज को भी हटा कर एक अच्छा काम आपने किया है।

सब से बड़ा फायदा आपने सैक्शन 11 में किया है और वह रेस ज्यूडिकेटा के मामले में है। इससे हजारों मुकदमे बहुत जल्दी खत्म हो जाएंगे। मान लें एग्जिक्यूटिव कोर्ट में केस चल रहा है। उसमें कोई हार गया है। वह चीज रेस ज्यूडिकेटा मानी जाएगी। पहले कहा जाता था कि कोई कोर्ट प्रापर कोर्ट नहीं है, कम्पीटेंट कोर्ट नहीं है। अब यह कहा गया है कि हम इस चीज को नहीं मानते हैं। रेस ज्यूडिकेटा के मामले में किसी दूसरी कोर्ट में एग्जिक्यूटिव कोर्ट में भी अगर फैसला हो गया है तो उसको सदा के लिए मान लिया जाएगा और यह समझ लिया जाएगा कि इशू तय हो गया है। उस इशू को तब फाइनल इशू मान लिया जाएगा। गरीब आदमी छोटी कोर्ट में या पंचायत कोर्ट में जाता है और फैसला करवा लेता है तो कह दिया जाता था कि वह कोर्ट कम्पीटेंट कोर्ट नहीं है। कमेटी ने बहुत मेहनत इस पर की है और सोचा है कि सैक्शन 11 को किस प्रकार से कम किया जा सकता है। एक बार यह चीज तय हो गई तो उस इशू को माना जाएगा कि वह फाइनल डिजिजन है।

रिव्यू के बारे में होता यह था कि जब चाहे कोर्ट में कोई चला जाता था। हाई कोर्ट में सैकिड अपील फैक्ट्स और ला दोनों पर कर दी जाती थी। एक कोर्ट एप्रिशिएट कर ले तो फस्ट अपील हो जाती है। अब सैक्शन 101 में नई बात की है। यह अच्छा आपने किया है। हमने प्वायंट कमेटी में फिगर्स मंगाए थे कि किस प्रकार के केसिस पेंडिंग हैं।

एक बार कोर्ट ने फ़ैक्ट ऐप्रिशियेट कर लिया, अपील में हो गया और फिर दूसरे कोर्ट में गये कि इस में बहुत बड़ा सवाल है।

"An appeal may lie under this section from an appellate decree passed ex parte.

(3) In an appeal under this section, the memorandum of appeal shall precisely state the substantial question of law involved in the appeal."

इस में फ़ैक्ट मिक्स क्वेश्चन बता कर के हाई कोर्ट में अपील में चले जाते हैं। अब सेकेन्ड अपील में एक रेस्ट्रिक्शन लगाया गया है :

You will have to satisfy the high court that there is question of substantial law involved.

"(4) where the High Court is satisfied that a substantial question of law is involved in any case, it shall formulate that question.

(5) The appeal shall be heard on the question so formulated and the respondent shall, at the hearing of the appeal, be allowed to argue that the case does not involve such question."

कितना जहरी प्वाइंट इन्होंने किया है कि वकीलों की जो पैसा कमाने की तरकीब थी उस पर एक बड़ा चैंक हुआ है। और मैं कहूंगा कि सैक्शन 100 का जो अमेंडमेंट किया :

"Provided that nothing in this sub-section shall be deemed to take away or abridge the power of the Court to hear, for reasons to be recorded, the appeal on any other substantial question of law, not formulated by it, if it is satisfied that the case involves such question".

यों नहीं कि कोई वकील चला गया और अपना काम बना लिया।

अब इन्होंने समन की सर्विस को बहुत कम कर दिया। पहले क्या होता था कि किसी ऐडल्ट मेम्बर पर भी सर्विस आफ़ समन नहीं

शायी, प्राप्ती थी। अब बहुत प्रस्ताव संशोधन कर दिया। इन्होंने यह कि सर्विस करने का तरीका क्या होना चाहिये :

Not only by persons....

अब प्रोसेस के जरिये भी जेज द तो भी सर्विस मानी जायगी।

"or any member whoever decides."

तो इस में समय कम हो गया; सर्विस मानी जायगी और पुन अवकाश दो। और जब कभी समय जायगा उस के साथ प्लेन्ट जायगी और प्लेन्ट जाने के बाद उस को दूसरी पेसी पर हजिर होना पड़ेगा बिद रिटर्न स्टेटमेंट/पहले यह नहीं था। पहले आर्डर 8 रूल 1 के अन्तर-अपील होती थी और सफीशियेंट काज होता था। अब इन्होंने यह किया है कि सारे डाक्यूमेंट देख कर के रिटर्न-स्टेटमेंट के लिये समय का प्रोसीजर बहुत करटेस कर दिया है और कोई आदमी नहीं बच सकता।

एक इन्होंने काज आफ् सेक्शन का बड़ा खफा किया है। इस में आदमी को काफ़ी सुविधा थी मई है, वह कहीं भी दावा पेश कर सकता है और मिटिगेंट को तकलीफ नहीं होती। इसलिये सेक्शन 60 के अन्तर जो जो नये कथन उठाये हैं वह अच्छे हैं।

सब से बड़ी बात यह है कि गरीब की क्या प्रांच है? पहले उस को ऐबीडेंस देनी होती थी। लेकिन अब रेवेन्यू रेकोर्ड दिखा सकता है और तहसीलदार अगर कह देता है कि वह पूर है तो मान लिया जायगा। तो यह जो इन्होंने ने डेफ़ीनीशन ली है अच्छी है। मैं यह नहीं कहता कि गरीब को पूरी मदद दी जायगी, लेकिन इन्होंने कोशिश की है कि गरीब कोई अवग्र अदालत में जाता है तो आसान भूक दे कर के अपना काम कर सकता है।

बी राय एवम अर्वा (वाचा) : भूक ऐबीडेंस ऐक्ट में आदिवा, सी० बी० सी० में नहीं आयेगा।

बी राय एवम अर्वा : सेक्शन 33 में पहले काफ़ी ऐबीडेंस देनी होती थी और दूसरे आदमी को रिबट करने का चांस होता था। और रिबटस के बाद-सय किया जाता था कि आया वह-पेपर है कि नहीं। अब रिबट करने का कोई चांस नहीं रहेगा। अब गरीब आदमी आसानी से अदालत में जा सकेगा। सिविल प्रोसीजर कोड में यह एक बहुत अच्छी बात रखी गई है।

जहां तक पालियामेंट के मेम्बरों का सवाल है, क्लॉक 45 में कहा गया है :

"(1) No person shall be liable to arrest or detention in prison under civil process—

(a) if he is a member of—

(i) either House of Parliament, or

(ii) the Legislative Assembly or Legislative Council of State, or

(iii) a Legislative Assembly of a Union territory,

during the continuance of any meeting of such House of Parliament or, as the case may be, of the Legislative Assembly or the Legislative Council;

(b) if he is a member of any committee of—

(i) either House of Parliament, etc. etc.

during the continuance of any meeting of such committee;

and during the forty days before and after such meeting, sitting or conference."

इस का मतलब यह है कि हाउस या किसी कमेटी की मिटिंग से चालीस दिन पहले और उस के चालीस दिन बाद तक पालियामेंट के मेम्बर को कोई भी हाब नहीं लगा सकता है—उस को गिरफ्तार नहीं किया जा सकता

[श्री मूल चन्द डागा]

है। यह प्राविधान इस लिए रखा गया है कि सब्स्य पार्लियामेंट के काम के सिलसिले में विदेशों में जाते हैं। अगर उन को पहले से गिरफ्तार कर लिया जाये, तो पार्लियामेंट के काम में बाधा आयेगी।

SHRI B. R. SHUKLA (Bahraich): Sir, this has been the convention of the House that a person who has been a member of the Joint Committee generally refrains from participating in the debate except to the extent he has given his note of dissent or elucidates certain important points in the report.

SHRI M. C. DAGA: I am completely following it.

MR. CHAIRMAN: You have spoken for more than 30 minutes. Please conclude.

SHRI B. R. SHUKLA: You can imagine, Sir, how much time he would be taking in the court of law.

SHRI M. C. DAGA: That will depend upon the nature of suit.

SHRI C. K. CHANDRAPPA (Tellicherry): Sir, in a court of law he can take any amount of time but this is a very costly forum.

श्री मूल चन्द डागा: जहां तक जजमेंट का प्रश्न है, पहले जज और मुन्सिफ लोग कई दिनों तक जजमेंट नहीं देते थे।

आज नहीं लिखा गया है, आगे पेश हो।

अब इन्होंने दिया है :

"Provided that where the judgment is not pronounced at once, every endeavour shall be made by the court to pronounce the judgment within fifteen days from the date on which the hearing of the case was concluded but, where it is not practicable so to do, the Court shall fix a future day for the pro-

nouncement of the judgment, and such day shall not ordinarily be a day beyond thirty days from the date on which the hearing of the case was concluded, and due notice of the day so fixed shall be given to the parties or their pleaders".

तो जजमेंट देने के लिए भी उन्होंने एक तारीख मुकर्रर कर दी और उस तारीख के दिन पहले पहले ही जजमेंट देना होगा।

पहले जो साइट इंस्पेक्शन करने के लिए जाते थे उस में एक्सपर्ट को जाने का चांस नहीं था। तो सिविल प्रोसीजर कोड में एक बात और आई है :

"An expert can go to the spot and give his report. A technician can go to the spot and give his report for appreciation of facts of the case."

यह भी एक बहुत बड़ी बात की है। लेडिज के लिए भी उन्होंने वही बात रखी है कि अगर चाहे तो कोर्ट में आ सकती हैं, कमरा में उन का बयान हो सकता है। इस का भी उन्होंने प्रावधान किया है। तो इस में बहुत कायदे की बातें की गई हैं। यहां एक बात यह है कि बहस करने वाले ज्यादा हैं। सारे वकील लोग हैं। चैटर्जी साहब ने बहुत सी बातें इधर उधर की की लेकिन मैं उन को प्रोसीजर के मुताबिक सुनना चाहता था। उस के बारे में उन्होंने कुछ नहीं कहा।

श्री राम रतन शर्मा : (बांदा) : सभा-पति महोदय, प्रस्तुत विधेयक को देखने समय उसमें जो भ्रष्टाचार हैं उन को दुर्लक्ष नहीं किया जाना चाहिए। जैसा डागा साहब कह रहे थे इस विधेयक में बहुत सारी भ्रष्टाचारों भी आई हैं और विधेयक को बनाते समय तथा इसके बाद सेलेक्ट कमेटी में जो सदस्य गण थे, उस के जो बेयरमैन थे, उन्होंने उस को देखते समय पूरा पूरा प्रयत्न किया है कि देश के दुर्बल वर्ग को न्याय शीघ्र मिले और सस्ता मिले। ये प्रयत्न किए गए हैं। इस के लिए

में सेलेक्ट कमेटी के सम्पूर्ण मेम्बर्स और चेयरमैन साहब को बधाई देना चाहता हूँ कि उन्होंने काफी प्रयत्न किया है।

परन्तु हम सी पी सी के अमेन्डमेंट की बात जब सुनते थे तो हम को लगता था कि 1908 का यह कोड बदल कर किसी नये स्वरूप में हमारे सामने आएगा। किन्तु हमारी आशाओं पर सुषारापात हुआ है। मुझे छोटी भवालों से लेकर उच्चतम न्यायालय तक का थोड़ा सा अनुभव है। अनुभव थोड़ा है लेकिन मैं यह कहूँगा कि जब भी कोई विधि का विद्यार्थी सी पी सी पढ़ता है तो उस के सामने सेक्शन आर्डर और रूल्स ये सब चीजें होती हैं। एक बड़ा मेस है। पहले आप दफा पढ़िए, दफा के अंदर आर्डर और रूल्स हैं, इन को पढ़िए, फिर आर्डर और रूल्स का तालमेल बैठाइए। क्या यह संभव नहीं था कि इस सब को दफाओं में बाँध देते? सी आर पी सी का अमेन्डमेंट हुआ है। वह पूरा का पूरा इतना बल्की है। आप एक तरफ से देख जाइए, उस में आर्डर और रूल का तालमेल बैठाने की बात तो नहीं है। तो इस में आखिर क्या जरूरी है कि हम उसी फार्म को रखते। एक नया ला का विद्यार्थी आता है उस को इस तरह से न पढ़ कर सीधा सीधा पढ़ने को मिलता तो उस में क्या हानि थी? बहरहाल फार्म के बारे में मैं सोचता था कि इस को आप बदलते और एक तरफ से दूसरी तरफ तक सेक्शन में रख देते तो एक साफ रास्ता हो जाता।

एडजर्नमेंट्स के बारे में हम को बड़ी प्रसन्नता है, मैं जिला भदालतों में काम करता हूँ, जिला भदालतों में कुछ एडजर्नमेंट कौन्सल होते हैं जिन का काम है केवल मुकदमों में एडजर्नमेंट दिलाना, मैं नाम नहीं लूँगा, लेकिन मेरे जिले में एक ऐसे सज्जन हैं। अभी जब मैं यहां आया था तो एक केस में हम दोनों एपीयर हो रहे थे। उन्होंने कहा—शर्मा जी, जेरे पास सन् 1970 से इधर का कोई मुकदमा

ही नहीं है। अब तो हमीरपुर से भी लोग मुझ एंगेज करने आ रहे हैं। हमीरपुर एडज्वर्यानिंग डिस्ट्रिक्ट है। वे इसलिये आ रहे हैं कि एडजर्नमेंट मिलेगा। हमारे यहां एक जज साहब ऐसे आये जिनकी रेपूटेशन थी कि वे किसी कारण पर भी एडजर्नमेंट नहीं देते हैं। सभी लोग रोते रहते थे कि केस तैयार कर के लाना है क्योंकि जज—साहब तो एडजर्नमेंट देंगे नहीं। उन सज्जन ने कहा कि देखो एडजर्नमेंट किस तरह से लिया जाता है। मैं आपको तमाशा दिखाता हूँ। उन्होंने एक जाँघिया लिया और उसको लेकर भदालत में चले गये। जज साहब ने कहा—मैं एडजर्नमेंट नहीं दे सकता। उन्होंने कहा—मैं क्या करूँ, बरसात से नदी बह रही थी, मेरा मक्किल इधर आने के लिये नदी में कूद गया। लोगों ने उसकी जाँघिया पकड़ ली, लेकिन वह नदी में बह गया। इस तरह से लोग फाल्स और फेबलस तरीके से एडजर्नमेंट लेते थे जिससे केस बढ़ता था। मैं मंत्री जी को बधाई देता हूँ कि उन्होंने इसको टाइट किया है। हम लोग जो दिन-प्रति-दिन भदालतों में काम करते हैं, वह जानते हैं कि छोटे-छोटे मुकदमों में, मनी-सूट्स में जो रुपये की नालिशें होती हैं, उनमें छः छः साल लगते हैं। डिमिजिग डिफाल्ट करा लिया, फिर उसको रेस्टोर किया और नहीं आये। फिर उसके 4 दिन बाद एप्लीकेशन दे दी कि बीमार हूँ। इस तरह से केसेज बढ़ते थे जो कि अब नहीं बढ़ेंगे। मेरा विश्वास है कि आपने काफी टाइट किया है।

दफा 100 की बात आई है। क्योंकि डागा साहब जाने वाले थे इसलिये मैं उनकी बात पहले निबटा देना चाहता हूँ। इसमें राइट आफ सैकिड अपील हैं। उस पर मेरा अमेन्डमेंट भी है, जो शायद कल आयेगा। यह चेंज किया है कि सबस्टेंशियल वैश्वन आफ ला होगे और जज इसको सैकिड अपील में फार्मूलेट करेगा। उसके बाद ही उस पर बहस होगी। लेकिन अगर वह फार्मूलेट होकर के



[श्री रामरत्न शर्मा]

एडमिट होता है तो दूसरे क्वेश्चन ग्राफ ला पर बहस सुनी जा सकती है। यह आपने दिया है। लेकिन आप देखें कि एक गरीब किसान जिसकी एक ओपड़ी है, उस पर कोई कब्जा करना चाहता है। उसने एक मुकदमा परमानेन्ट इंजेक्शन का दायर किया। परमानेन्ट इंजेक्शन में मुन्सिफ कोर्ट में, फार्चुनेटली उसके ड्वाफिक डिक्ली हो गई, लेकिन अपील में उसका सूट डिस्मिस हो गया, यानी डिक्ली सेट-एसाइड हो गई। अब यह फाईंडिंग ग्राफ फैक्ट हुआ, मुन्सिफ कोर्ट में भ्रम और जज के कोर्ट में भ्रम। अब हाई कोर्ट में आये, आप फाईंडिंग ग्राफ फैक्ट में जाने नहीं देना चाहते हैं, तो उसमें क्या क्वेश्चन ग्राफ ला है। क्या डागा साहब इसको बता सकते हैं? कान्क्रेट फाईंडिंग ग्राफ फैक्ट यह है कि तथ्यों के सम्बन्ध में जैसा मुन्सिफ फैसला देता है वैसा ही अपील में डिस्ट्रिक्ट जज देता है। यह तो फाईंडिंग ग्राफ फैक्ट हो सकती है। इसमें आप सब-स्टेंशियल क्वेश्चन ग्राफ ला कर दें। लेकिन अगर फाईंडिंग ग्राफ फैक्ट नहीं है, एक कोर्ट उस फैक्ट में कुछ दूसरा कहती है और अपील अदालत उसके सम्बन्ध में दूसरे निष्कर्ष पर पहुँचती है तो उसके बारे में आप सोचिये। गरीबों की बात तो हम सब करते हैं लेकिन गरीबों के पास अदालत में आने तक के लिये 1 रुपये 4 आना बस का किराया नहीं होता है। उनके पास अदालतों में गवाही देने के

लिये कोई नहीं होता है। इन परिस्थितियों में जो मुकदमा लड़ता है, वह फाईंडिंग ग्राफ फैक्ट में उड़ जाये, तो ला प्वाइन्ट में हाई कोर्ट में कौन जायेगा ?

हाई कोर्ट में जाकर, आप समझते हैं, मैटर को सरल कर दिया, लेकिन मैटर सिम्पिल नहीं हुआ। दो बार अपील करनी पड़ेगी। एक बार स्पेशल लीव के लिये जाना होगा। आपने उस तरह की टर्मिनोलोजी का प्रयोग नहीं किया, लेकिन आपका मतलब यही है कि जैसे स्पेशल लीव के लिए सुप्रीम कोर्ट में एप्लीकेशन दी जाती है, उस तरह की एप्लीकेशन दें और फिर जब क्वेश्चन ग्राफ ला फार्मूलेट कर दें तब अपील एडमिट हो, तब उसकी नोटिस जाये। यह गरीबों के बस की बात नहीं है। मेरा आपसे निवेदन है कि फाईंडिंग ग्राफ फैक्ट वाली जो बात है, इसको आप देखने की कृपा करें।

दफा 80 की बात भी आई है, इसके बारे में भी डागा साहब ने कहा है।

MR. CHAIRMAN: He may continue tomorrow. The House stands adjourned till 11 A.M. tomorrow.

18.00 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 12, 1976/Sravana 21, 1898 (Saka).